

P U B L I C H E A R I N G

before

SENATE AIR, WATER POLLUTION AND PUBLIC HEALTH COMMITTEE

on

SENATE BILL NO. 875

(Uniform Control and Licensing of Dogs and Kennels)

Held:
December 16, 1970
Senate Chamber
State House
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Senator James H. Wallwork, (Chairman)

* * * * *

I N D E X

	<u>Page</u>
Eliot Steinberg Director of Research Administration Warner-Lambert Company	4
Dr. Harry J. Robinson Sr. Vice President of Medical Affairs Merck, Sharp & Dohme Research Laboratories	9
Edward C. Syder Chairman of the Board New Jersey Dog Federation	18
Dr. William C. Carter New Jersey Academy of Veterinary Medicine and Surgery	26
Dr. John Bauman New Jersey College of Medicine & Dentistry	31
Dr. John Farnham American Cyanamid Company	35
Dr. Oscar Sussman President New Jersey Public Health Association	37
Sister Marie Cook Georgian Court College Lakewood, New Jersey	47
Albert Coleman Institute for Medical Research Camden, New Jersey	49
Dr. Alan L. Kraus President New York State Society for Medical Research	52
Dr. Helen Taussig Johns Hopkins School of Medicine	59
Jack W. Owen, President New Jersey Hospital Association	66
Rudolph DeAngelo Jersey City, New Jersey	67
Dr. Morris Solotorovsky Rutgers University	68

I N D E X (Cont'd)

	<u>Page</u>
Dr. David Tudor Rutgers University	70
Leonard C. Blessing New Jersey Science Teachers Association	72
Dr. J. Allen Yager Director, Department of Health Paterson, New Jersey	74
Dr. Clarence F. Manziano President New Jersey Society for Medical Education and Research	76
Statements from:	
J.G. Afflect General Manager, Agriculture Dept. American Cyanamid Company	83
Dr. Antoine E. Attalla Division of Health Woodbridge, New Jersey	85
Fred L. Stevenson, President Humane Society of the United States	89
National Society for Medical Research Washington, D. C.	94
Dr. Tevis M. Goldhaft President New Jersey Academy of Veterinary Medicine and Surgery	96
Hoffman-La Roche, Inc. Nutley, New Jersey	98

SENATOR JAMES H. WALLWORK: Good morning, ladies and gentlemen. I would like to open the hearing on Senate Bill 875, a bill in the Senate Air, Water Pollution and Public Health Committee. I am Senator Wallwork, Chairman of the Committee.

Last year a bill was introduced and passed in the Assembly which would have prohibited the use of unclaimed pound animals in medical research.

At that time I received hundreds of letters from physicians, nurses and research scientists, stating that this bill would cripple medical progress in New Jersey and seriously endanger medical education in our State.

Those who opposed the use of animals in medical research, medical education, and related areas were divided basically between groups which called themselves anti-vivisectionists or simply animal welfare groups. Many of those in the latter category are particularly concerned about safeguards for pets and unscrupulous operations in public pounds.

Because I, too, am concerned about animal welfare and humane practices in dealing with animals, and because I am Chairman of the Senate Public Health Committee, I thought it would be in the interests of all of the citizens of our State to develop a bill which would reconcile the medical community, on one hand, and the animal welfare community, on the other.

In this bill I sought to upgrade dog pounds, provide safeguards for pets, improved procedures for reuniting pets with owners, and establish for the first time humane guidelines for the euthanization of those animals which must be destroyed. I also sought to insure that only legitimate medical research and education could continue to purchase and use for legitimate purposes unclaimed and unidentified impounded animals if the pound chose to offer such animals for sale. Any sale would be permissive, not mandatory and would be restricted to those research

centers and medical schools inspected by the Federal government or by the State Department of Health. No one would make a profit on any sale of an animal under S-875. All money realized from any sale would revert back to improve conditions for animals.

As a result of sponsoring this bill, I have been subjected to false, abusive, and misleading ads taken in newspapers throughout the State. I have received over 2000 letters from people who were either misinformed about my bill through these ads or from a handful of so-called "humane" societies. Some of these letters were abusive to the extreme. Both my wife and I have received obscene phone calls at home. In addition, I have been subjected to a smear campaign of innuendo and vilification charging that I have conflicts of interest, that I have been paid off to sponsor this bill, and that I am a sadist who enjoys inflicting pain and suffering on animals.

I would like to state publicly that I have no interest to advance except the public interest. It is my hope that this bill will serve the people of New Jersey by combining humane and protective safeguards for pets with the legitimate medical research so vital to the public health of both people and animals.

In order to write the best animal welfare bill for New Jersey and to clarify any false impressions, we are having this public hearing on Senate 875 today.

I would like to take a minute or two to acquaint everyone with the present law here in New Jersey.

Under present law here in New Jersey, we have no central registry in the State for dogs. Under S-875, we would establish a central registry in the Department of Health.

Currently, there is no requirement that a municipal dog warden notify the owner of a tattooed dog or a dog wearing an identifying collar, if the animal has been seized. 875 would require this, in an effort to reunite the pet with

its owner.

Also, dogs are kept in pounds for seven days and then they can be sold or they could be destroyed. My bill would require a dog that's tattooed or has a collar to be retained for upwards to fourteen days before it could be sold or destroyed.

Presently in New Jersey, public pounds could be open for a few hours each week, making it very difficult for an owner to locate a lost pet. Under 875 all pounds would be required to be open at least 40 hours a week to enable owners to locate lost pets. Beyond that, there are no rules or regulations to require pounds to advertise in local papers with descriptions of animals picked up. S-875 requires pounds to advertise in local papers with a description of the animal picked up.

There is also no requirement that pounds attempt to place dogs in suitable homes if the original owner cannot be located. 875 requires that it be State law that if a dog cannot be reunited with its owner, it would have to be placed in a suitable home if it could be found.

Right now there are no laws in New Jersey requiring the humane destruction of impounded animals. S-875 would require the State Department of Health to issue regulations and guidelines for the humane euthanization of impounded animals.

Currently there is no restriction in New Jersey on the sale of impounded animals. They may be sold to any group or person claiming to be a research laboratory, and these research laboratories do not have to be certified or inspected. S-875 would restrict the sale of impounded animals on a permissive basis, strictly to certified and registered research laboratories or medical schools. And any sale, of course, is permissive, not mandatory.

Right now, impounded animals are sold for a personal profit to the dealer dealing with this. S-875 would remove any profit because pound owners would be paid on a weekly,

monthly, or annual fee, and they would be forbidden to realize any money from the selling of the animals.

There are no penalties, basically, in New Jersey now for dognapping. 875 would establish criminal penalties for dognapping.

We also do not maintain any records for dogs killed on the streets so that an owner would know what happened to his dog, and S-875 would require wardens to identify and retain records of dogs killed on the streets so that the owner, searching for a missing pet, could establish what happened to the dog.

Today I think there are many, many problems facing us here in the State of New Jersey, but I think animal welfare and public health are items that are of concern to all of our citizens in New Jersey, and I am hopeful that today we can establish some good guidelines and bring the facts before the public in general so that we can determine and write a good bill here in New Jersey, not only to protect people's pets and the people themselves, but beyond that that we can strike the balance so vitally needed here in our State for medical research on one hand and humane responsible handling of pets and animals on the other.

I would like to call Mr. Eliot Steinberg, Director of Reserach Administration of Warner-Lambert, as our first witness.

E L I O T S T E I N B E R G: My name is Eliot Steinberg. My occupation is Chemist.

I would like to thank Senator Wallwork and the Committee for allowing me to be heard in regard to Senate Bill 875. First, I would like to make it clear that I am here really in two capacities - 1, representing my company, the Warner-Lambert Company in Morris Plains, New Jersey; and, secondly, as Chairman of the Government Relations Committee of the New Jersey Council for Research and Development.

Perhaps I should say a word about the New Jersey

Council first. This organization, established approximately ten years ago, consists of well over one hundred representatives from private industry, education, commerce and finance as well, really covering a broad spectrum of business and educational activities in the State. Essentially, every leading company with a research and development organization is a member of the Council. Its primary mission is to improve the environment for progressive growth of research and development within our State. The Council studies a variety of problems affecting research and development, recommends solutions and carries out programs of action which are appropriate to its mission. Further, the Government Relations Committee of the Council is, obviously, concerned with this proposed legislation. My Committee, and the Council, is on record in support of S-875.

As Director of Research Administration at Warner-Lambert one of my responsibilities is to assure that our laboratories are functioning properly in regard to availability of personnel and materiel. It is in this latter area that I am involved in seeing to it that not only is there a proper and adequate supply of experimental animals but that our animal care facilities are properly maintained and managed. Over the course of my 23 years of experience in the pharmaceutical industry I have closely followed the struggle between research people from all areas of work - academic, government and industrial - and the proponents of dangerous and restrictive anti-vivisection legislation.

So it is from these points of view that I find S-875 to be a step forward in this too-often emotionally laden area of research. Very importantly the bill affirms, as public policy of the State of New Jersey, that the use of animals for research and teaching is essential to medical and scientific research; consequently essential for public welfare. Many of you may be under the impression that the only use of experimental animals is by the pharmaceutical industry for the development of new therapeutic agents.

This is only partially true. The food industry; for example, must test all food additives in animals prior to obtaining permission to incorporate into food products. In our state at the last count made by the National Research Council Institute of Animal Resources there were 86 organizations using animals. The breakdown is as follows:

Industrial enterprises and commercial laboratories	- 44
Hospitals	- 21
Colleges	- 14
Governmental and institutional laboratories	- 7

I would like to dwell for a few more minutes on the importance of the use of animals toward the overall improvement of public health. As a teaching tool it is indispensable. As a tool for development of new surgical techniques it is irreplaceable, and as a tool in the entire drug development process it is absolutely essential. Even with the tremendous advances made in conquering diseases in the last several decades, there is still a long road to travel in regard to such major crippers as heart disease, cancer, emphysema, virus diseases. The list could go on and on. Please remember that the use of animals in the development of new drugs is mandated by law and regulations of the Food and Drug Administration. There is just no other way. For us in the pharmaceutical industry it is serious business and extremely costly. It is only prudent economic sense to obtain our laboratory animals through authorized legal channels and to maintain our animal colonies in a high state of excellence in regard to quality of the animals, the environmental conditions, their food and maintenance and their care.

I don't think that anyone could argue about the economic and social impact of the pharmaceutical manufacturers in the State of New Jersey and, indeed, in the whole country. Our state is often referred to as the "Nation's Medicine Chest." There are numerous statistics available to

substantiate the importance of the pharmaceutical industry in this state and I would like to leave with the chairman a report entitled "The Economic and Social Impact of Pharmaceutical Manufacturers in the State of New Jersey," a study prepared by a member of the teaching staff of the Graduate School of Business Administration, Rutgers University. Suffice it to say that the growth of New Jersey pharmaceutical manufacturers has outpaced the growth of all New Jersey manufacturing industries and of all United States pharmaceutical manufacturers in the period 1954 to 1966. It grew three times as fast as all New Jersey manufacturing industry and nearly twice as fast as the entire pharmaceutical manufacturing industry in the United States.

Now back to S.875. In addition to establishing the use of animals for research and teaching under proper and realistic conditions, the proposed legislation very sensibly protects the rights of pet owners through an excellent process of tatooing, record keeping and a practical holding period for an unidentified dog before the animal is disposed of in a manner prescribed by the bill. It will put a stop to the unconscionable charge of dognapping made against teaching institutions and research laboratories. The provisions within the proposed bill for standards of care and treatment are sensible in that they are proposed to be substantially identical to those promulgated by the United States Department of Agriculture. Placing the authority for establishing rules and regulations within the State Department of Health is proper.

I should mention that other organizations of considerable stature and with a full understanding of the entire problem are concerned with preventing nihilistic, archaic and anti-public health animal legislation from coming into being. Some of these other organizations are: The New Jersey Society for Medical Education and Research; the New Jersey Academy of Veterinary Medicine and Surgery; the National Society for

Medical Research; The American Association for Laboratory Animal Care; the National Academy of Sciences, National Research Council, Institute of Animal Resources.

In closing, Senator, I urge that S-875 receive favorable consideration. Its passage will reflect well on the Legislature and the entire State. New Jersey is a recognized leader in research and development. Its policies, laws and practices should reflect this leadership and excellence.

Thank you.

SENATOR WALLWORK: Thank you, Mr. Steinberg. I have a couple of questions.

Where do research facilities get most of their animals now?

MR. STEINBERG: We buy them from licensed dealers. These dealers are under license from the Federal Government and are licensed dealers and raisers of animals needed for experimental work.

SENATOR WALLWORK: Of the breakdown of the various businesses, hospitals and colleges, and so forth, that are using animals, - on your testimony there are some seventy, - are they all inspected by the Federal Government or by the State Government here?

MR. STEINBERG: I really can't say. I don't know. I could hazard a guess but it wouldn't be a factual response to your question.

SENATOR WALLWORK: All right. Well, so far as your knowledge, and particularly your company, you are inspected by whom?

MR. STEINBERG: We are inspected under the provisions of the United States Department of Agriculture Act and also the American Association for Laboratory Animal Care has an accreditation system and we have been inspected by them as well.

SENATOR WALLWORK: Do you receive any inspection by the State?

MR. STEINBERG: I really don't know. That has slipped my mind.

SENATOR WALLWORK: All right. If unclaimed pound dogs were to be outlawed for medical research, in your opinion what would be the result?

MR. STEINBERG: Well, I think it would create a hardship on those institutions which may find it difficult to obtain animals that may not have the contacts or the financial wherewithal that a large business organization may be able to muster. I think it is certainly a proper and humane, in the full sense of the word, use of an animal, if it's unclaimed and is to be disposed of. And I think it would create a hardship.

SENATOR WALLWORK: In your opinion, can computers and other items replace animal testing?

MR. STEINBERG: That's absolutely ridiculous. I know there has been some discussion of this in lay literature and maybe even in semi-scientific literature. There is a lot that computers do and are doing and can do. They generally work in conjunction with animals in various kinds of biological and pharmacological procedures, but I think the claim that animals can be replaced by computers in biological research is completely unfounded and really a fairy tale. It certainly couldn't be used for the development of surgical techniques; it couldn't be used for the study of long-term toxicology and pathological effects of new drugs or food additives; or a study of nutritional aspects of drugs and food additives; and in experimental procedures it is just not realistic and I just can't foresee that it ever will be.

SENATOR WALLWORK: All right. Thank you very much, Mr. Steinberg.

Dr. Harry Robinson.

H A R R Y J. R O B I N S O N: Senator Wallwork, I have a prepared statement but I would like to expand on it also, on particular certain points.

SENATOR WALLWORK: Would you give us your full name and your occupation, sir?

DR. ROBINSON: My name is Harry J. Robinson and presently I am Senior Vice President of Medical Affairs for the Merck Sharp & Dohme Research Laboratories.

I would like to begin by saying, by way of information, that I am a Physician. I have also obtained a Doctorate at Rutgers University in Microbiology. And, third, I am a member of the Public Health Council since 1952, 18 years.

During my long tenure with the Company, some 37 years, I have been permitted to have first-hand opportunity to review and see how animals are cared for and treated in the various research facilities. Also during this long period of acquiring an education, I became familiar with the use of animals in education. So, as a preface to my statement, in support of Senate Bill 875, I wish to emphasize that the research laboratories with which I am acquainted make every effort to insure that animals receive the best possible care; the animals are well fed, they are well housed in air-conditioned quarters, there are adequate facilities for their exercise, and they are accorded humane treatment by trained personnel under active supervision.

Based on my knowledge of research practice, I deplore the often reckless and unsubstantiated statements that animals are subjected to needless cruelty and treated with a calloused disregard for life. This is simply not true. The many research people that I know, and I know thousands of research people over the years, - many of them are pet owners themselves, are dedicated to improve the quality of life, not only of a human being but animals as well. And I think it's important to point out at this point that the benefits of medical research also are beneficial to animals as well as to man. And this I will refer to again in a moment.

We heartily approve the statement of policy in

S-875 that the use of animals for research and teaching in the field of public health is necessary to the development of medical and scientific research and, thus, to the public welfare.

I hardly need to mention to this group the benefits which we have derived from medical research, benefits which would not have been possible without animal experimentation. One could list a long number of medical benefits. I would like to take just a few moments to mention a few that I personally have been concerned with over the past twenty-five years. I think it's apparent to all that there have been great strides in medical research over the past twenty-five years and as a result there is much better nutrition for our citizens the world over. There have been a great deal of advances made, particularly in the treatment of many infectious diseases. The introduction of the sulpha drugs in the early 1930's, which made it possible to treat streptococcal infections, staphylococcal infections, pneumococcal infections, meningitis, and its value in the prophylaxis of rheumatic heart disease.

Then the research has led to the development of the antibiotics - penicillin and its control of venereal diseases which up until that point was hardly possible - gonorrhea and syphilis, and there are a whole host of other diseases for which penicillin is efficacious. Streptomycin, with its very beneficial effect on tuberculosis which has had a marked effect on the reduction in the morbidity of this disease and in clearing up keeping patients in the hospital for long periods of time. The subsequent introduction of tetracycline, a new broad spectrum antibiotic that has expanded the scope of our ability to treat patients with infections.

Then there are a whole host of new antibiotics that are currently coming along that are absolutely necessary for the benefit of mankind and public health. I can mention two in the field of hemotherapy. There have been great

advances made in the parasitic diseases, for the treatment of malaria, for instance, which is still a great plague particularly in Vietnam at the moment. Thiobenzoyl, a drug that was introduced for the treatment of parasitic diseases, for the treatment of trichinosis. This happens to be beneficial to animals as well as to man and, indeed, is used more for animals than it is for man.

And then a word about the many vaccines that have been developed as a result of animal experimentation - poliomyelitis, which all are familiar with; and, more recently, the vaccines for mumps, rubella, measles; and the earlier work on bacterial vaccines - diphtheria, tetanus and whooping cough.

Without the use of laboratory animals, these vaccines would not exist today, and we would see many more crippled youngsters, deaf or blind, as a result of these particular diseases. And as a result of medical research, these are now disappearing.

As the last speaker mentioned, we are still early in the course of our work in medical research and much remains to be done. Cancer, in all of its forms, - we are just beginning to see the light in this area and much remains to be done there.

In the area of cardiovascular disease, in particular atherosclerosis, a disease which strikes down particularly males in the prime of life, there is a great deal of animal research currently going on in this area that is most important.

We have seen great strides in the area of mental health but, again, there is much to be done. The new problem that is coming up on drug abuse among our children. This is going to require a great deal of study in which animals will be of great importance.

The problem of aging. Also getting back to the area of infectious disease where microorganisms are developing resistance to many of the antibiotics and this

poses new problems for us, particularly in the area of venereal disease and staphylococcal infections.

We've heard a great deal about organ transplantations and the progress made in surgery. Here again, without animal experimentations this would be impossible.

Then a word about the crippling connective tissue diseases - rheumatoid arthritis. There have been some advances made there but we know very little about the actual ideology of this disease or these diseases, and progress has been made and will be made.

I think time won't permit to expand further on that so I would like to turn to another important aspect of the bill and that is the matter of what has been said about stolen animals.

We've seen much that has been written and said about the possibility of animals being stolen for use in medical research. My experience over the past 37 years discounts these stories as being untrue, certainly in so far as laboratory research is concerned. The many laboratories with which I am familiar simply do not deal with stolen animals. I think it's significant that the U. S. Department of Agriculture, a most authoritative group in the field of animal care, recently noted that they have not found even one stolen animal in their several years of administering the Laboratory Animal Welfare Act.

The provisions of S-875 that pertain to tattooing and other safeguards for pet owners seem to deal effectively with this problem and should, if enacted and enforced, lay to rest the concern about stolen animals for laboratory use.

Another important feature of S-875 is the section which gives the Department of Health authority to promulgate rules and regulations governing the operations of kennels, pet shops, shelters, dealers, and dog pounds. While the research community has gone to considerable length to insure that animals will be given the best possible care, no standards governing the operation of kennels, pet shops, shelters,

dealers, or pounds, are presently available. And certainly all that is done in connection with the laboratory animal should be done with these other animals.

The section of the bill which would permit a pound operator to sell pound dogs to research facilities does not change existing laws. At this time, a pound operator may, if he wishes, sell pound dogs to research facilities. It is my belief that pound animals at a modest cost should be available, at the very least, to public institutions such as hospitals and medical schools.

So, in summary, I believe that your proposed legislation strikes a sensible balance between those interested in medical progress, both for animal health as well as for human health and public welfare, and the pet owner. The arguments against your bill are founded on misunderstanding of the purposes of your bill. It provides support for pet owners while insuring a reasonable and progressive atmosphere in which medical research can prosper. We urge its passage.

SENATOR WALLWORK: Thank you, Dr. Robinson.

There are a couple of questions.

Do we have here in New Jersey, in your experience, investigation and certification of research laboratories, or is it all done by the Federal Government?

DR. ROBINSON: I can't answer that but perhaps Mr. Ruark, who is also with Merck, and a Lawyer, may have the answer to that question.

MR. RUARK: There are, Senator, I think eight or nine non-profit institutes, of which one is the Merck Institute, for therapeutic research, which is subject to state inspection. And our non-profit institute, for which I can only speak, is inspected on a yearly basis by the State veterinary officials.

SENATOR WALLWORK: Under State law.

MR. RUARK: Under State law.

SENATOR WALLWORK: Dr. Robinson, you mentioned about dogs being helpful in cancer and in heart disease, how can

a dog be helpful in cancer?

DR. ROBINSON: Well, in the area of cancer research we now have some insight on the possibility of viruses playing a role in the ideology of cancer, certain types of cancer. Also, in connection with overall research, whether it's on cancer or any other type of work, as we develop therapeutic agents that appear to have a benefit, it is necessary, by Federal law, to study these drugs or therapeutic agents in dogs before it is taken on into other animal species. The dog, as a species of animal for experimentation, has been most useful in these areas of research on cancer, particularly there are dog strains that develop spontaneous tumors and this has been of considerable help.

SENATOR WALLWORK: If the supply of dogs were limited, in your opinion what would be the stretch-out time that medical research would have in developing possibly cures for cancer?

DR. ROBINSON: Well, this would extend the period of research considerably. For instance, now in drugs that have to be administered for any period of time to man, the Food & Drug Administration is now moving into studies which require either lifetime studies in dogs or at least seven-year studies for chronic experimentation. In addition to that, we find that certain drugs that are developed for other therapeutic purposes, we are interested to make certain that these drugs are not carcinogenic, that do not produce cancer; and we see a lot in the paper these days about the importance of drugs and all sorts of food-stuffs producing neoplasms in animals and, therefore, the question is raised, as it was with the cyclamates recently, whether these agents should be available to mankind. The dog is used in these studies. And you may recall that the work of the contraceptive pill, when there was some question raised about whether some of these might induce cancer in man, the Food and Drug Administration arranged to have seven-

year studies undertaken in dogs as well as in other animal species to see whether indeed these agents produced cancer.

So that, all told, it would not only be a matter of prolonging the issue with respect to research, some of the work with cancer and neoplastic disease could not be done without the help of dogs.

SENATOR WALLWORK: Of course, we're all concerned, particularly in the public health and the public welfare, mental health and so forth, with the narcotic problem. How does animal research bear on the narcotics problem. You touched on it briefly but I would like to have you expand on this.

DR. ROBINSON: Well, there are many aspects in which animal research would bear on this problem. First of all, the animals - certain animal species, the dog and the rat, as two examples, - tend to metabolize certain of these narcotics in the same way that man does, or human beings do. It is possible in animals to develop a tolerance to these narcotics, just as man develops a tolerance and builds up the dose from month to month until a very high level of dose is required to produce the same pharmacological effect. In these instances, one can use animals to try to understand what this phenomenon is about, and this will be useful in understanding the drug problem.

Also, the effect of some of these drugs, like LSD, for example, on the brain. It has been worked out that LSD produces the release of an accumulation of serotonin, a biological amine in the brain, it accumulates in the brain and this, in turn, accounts for some of the effects. So this is an example of obtaining biochemical understanding of what drugs tend to do in man through animal experimentation.

SENATOR WALLWORK: Methadone is being talked about as a program to try to rehabilitate or take away the desire for narcotic addicts' habit of heroin. Could you use experimentations with methadone on dogs and other animals to determine whether, in effect, it really does do what we

hope it might do to help people shake the heroin habit?

DR. ROBINSON: Yes. The early work on methadone was done in animals, and in our Company we have prepared derivatives of methadone, acetyl methadone, which, again, by studying the metabolism of this in animals it became apparent that the acetyl methadone as an entity had a prolonged action, much longer action than methadone itself. And, therefore, the thought was expressed that this would be a step forward or, if methadone itself became a useful drug for treating heroin addicts, that the acetyl derivative would require less frequent administration, perhaps once a day or once every two days to help these subjects that develop this addiction. So through animal experimentation this is an example of learning something about how drugs may behave in man.

SENATOR WALLWORK: One final question, Doctor. Would you categorize treatment in a laboratory as humane, that the average laboratory that's inspected and certified gives? What type of safeguards do you have in the laboratory to protect animals?

DR. ROBINSON: Yes. I would say in my long experience in research, not only in our own laboratory but in other laboratories, animals are treated humanely. First of all, many people on the staff are trained, they are senior people with doctorate degrees, and supervise the handling of the animals in the laboratory when any type of experimentation is done. Whenever there is any question that the animal may suffer pain, just as in the case of surgery in man, animals are anesthetized and treated exactly as one would treat human subjects. So this is foremost in our mind in making certain that all of the staff members who handle animals understand about the humane treatment and we educate them accordingly.

In addition to that, as I mentioned earlier, many of the staff in research are pet owners and have a love for animals and, therefore, just by their own actions would go

out of their way not to handle in any inhumane manner.

SENATOR WALLWORK: These humane treatments in laboratories, are they caused because they are federal regulations or state laws, or is it done out of consideration of the animal?

DR. ROBINSON: Oh, it's absolutely done out of consideration of the animal.

SENATOR WALLWORK: Should there be new laws here in the State, in your opinion, to make sure that every laboratory has a high standard of operation?

DR. ROBINSON: Well, I don't know that laws are required. I believe through this association with the Department of Health and the follow-up that they will have and have had, along with the proper publicity of this matter, that this should be sufficient to handle this problem if there is a problem.

SENATOR WALLWORK: All right, thank you very much, Dr. Robinson.

Mr. Edward Syder.

Would you give us your full name and your title, sir?

E D W A R D C. S Y D E R: My name is Edward C. Syder of Ramsey, New Jersey. I am Chairman of the Board of the New Jersey Dog Federation, an organization made up of 50 member dog clubs in New Jersey representing some 7500 hobby breeders and exhibitors of pure bred dogs.

I appear before you today to speak in favor of Senate Bill 875 and to suggest a few ways in which it might be made even better than it is at present.

Our organization feels that the present statutes governing dogs in New Jersey are fairly good, as far as they go, but they suffer greatly from a lack of adequate inspection and enforcement. This is apparently due in part to a lack of inspectors to examine the various dog pounds and shelters and to see that the present regulations governing such establishments are properly observed.

The current law is mainly a rabies control measure which is laudable as far as it goes and it serves that purpose adequately since it has been many years since New Jersey suffered a serious outbreak of that dread disease.

At present the state lacks a definite policy in regard to the use of stray animals by laboratories and research and educational institutions and the inspection and control of commercial pet shops and commercial breeding establishments. Also it is necessary to clearly define the ownership of dogs as personal property with all the privileges and responsibilities attendant thereto. These are grey areas in our present law.

S-875 covers many of the foregoing situations and hopefully can be amended to bring the others under its jurisdiction.

The New Jersey Dog Federation recognizes that many dogs are needed each year in research and education. We have no objection to the use of unclaimed, unwanted stray dogs in these field, provided the State spells out adequate safeguards for humane treatment and provided further that the dogs so used are truly unwanted strays.

This bill clearly enunciates the policy of the State that unwanted stray animals may be sold to research laboratories, etc.; that they must be treated while there under the conditions spelled out clearly in Federal law and that people who have lost dogs to the local dog warden have an adequate opportunity to reclaim their property. It further makes the theft of a person's dog an act of larceny. This is all to the good.

Bill S-875 provides a new means of identification of one's dog by the use of a system of tattooing the animal with a State-provided number which should make the return of wanted pets much easier than at present.

I might add here that the New Jersey Dog Federation has studied all the present tattooing methods and found that none of them are adequate or of any real use.

We envision a system which would be similar to the Motor Vehicle Department license number look-up system whereby police and wardens could call Trenton and instantly be given the name and address of the dog's owner. This would provide speedy return of the animal to its home and the issuance of a summons for leash law violations where applicable. In our estimation, this is the cornerstone of this bill. Without such a system, adequately managed by the State of New Jersey, this bill has no real merit.

Since the enforcement of this law is under the Department of Health, we would like to see it include some further responsibilities in two related fields - the importation into New Jersey of dogs for resale on a wholesale basis and the inspection and control of pet shops retailing dogs to the general public. Both of these problems have existed for many years but they have been greatly magnified by the advent of the franchise pet shop chains now springing up in our shopping centers around the state. These stores require a constant supply of many breeds of registerable purebred dogs and their major suppliers are big breeding farms in the middle west.

On these farms puppies have replaced eggs as the money crop for the farmer's wife and it is becoming a big, but poorly run, business. These farms keep from 100 to 800 females and breed them every season to supply the market. Their knowledge of dogs is negligible at best. There is little in the way of proper nutrition for the mother dog, sanitation in the kennels which are no better kept than the pig sties adjoining them, or adequate veterinary care for mother or puppies.

The puppies are then shipped by air in any usable container, lettuce crates, cardboard cartons or the like, to our major airports. If some die on route, so be it. The pedigrees and registration papers sent along with the dogs are at the very least suspect. There is no semblance of scientific breeding for the improvement of the breed.

Our local pet shops take these litters, clean them up give them a distemper shot and a worm pill and hopefully, for them, retail them quickly to an unsuspecting public at prices as high and often higher than the person would pay for a top quality puppy from a reputable local hobby breeder. Along with the puppy goes a fancy guarantee which is often practically meaningless when the buyer tries to collect on it.

As a result of this type of operation, the dog later becomes unwanted by his owner and is quite likely to add to the stray dog population within a year or two. All puppies are cute. It is hard for even the most experienced breeder to look at a puppy truly objectively. Imagine the situation of a novice visiting a pet shop with his children who are begging him to take a puppy home. If ever there was a victim asking to be parted from his money, it is this man. We all talk a great deal about protecting the public from consumer frauds and here is the perfect situation. It begs for correction and tight inspection and control.

Our organization represents the reputable ethical hobby breeders in New Jersey. They are devoted to the breeds they produce and interested in selling high quality puppies to buyers who will take care of their cherished product. Most hobby breeders lose money on their puppies and do so willingly because their interest lies in the improvement of the breed rather than in making a living from dogs.

Our interest is not purely self-serving either. The State of New Jersey gains in many ways through our activities. First, we pay license fees to the communities in which we live, as well as high property taxes on our real estate. Secondly, we operate non-profit kennel clubs which hold shows throughout the State bringing into New Jersey thousands of tourists annually who spend large sums for food, lodging, gasoline and highway tolls while visiting here. Two of our member clubs in Trenton and Atlantic City each year have over 3,000 dogs entered from all over the nation. The net

receipts from these shows are given away to various charitable organizations all over the State.

We guarantee the innocent, often naive, puppy buyer quality for his money because we have a continuing interest in his puppy. Its success reflects favorably on our ability as breeders. Its failure is a black mark against us in our own home area.

As a result, we guide the buyer in the proper methods of raising his puppy to assure him the most satisfaction and enjoyment as well as the health and welfare of his puppy. We screen our buyers carefully to ascertain that they have a real interest in a dog and to be certain that it will not become a stray and therefore a public charge.

In return we ask very little of you, our representatives. We ask that we be protected in our right of ownership by subjecting those who would steal our dogs to the laws governing larceny. This Bill S-875 does.

We ask to be given adequate opportunity to reclaim our dogs should they unfortunately find their way to a pound. This is also provided in S-875.

As compassionate animal lovers, we ask that you see to it that those animals being used in necessary research be humanely treated and cared for. S-875 takes care of this also.

We want the profit motive removed from the misfortunes of our animals by the elimination of contract dog wardens who benefit from the sale of dogs for research. To an extent, S-875 takes care of this, but we ask that the bill be amended to provide regulation to the extent that pounds and warden services be restricted to non-profit philanthropic institutions such as St. Hubert's Giralda in Madison, The Plainfield Humane Society, Bergen Animal Welfare, Inc. In the absence of such an organization within an area, we suggest that the State require the counties to set up and run such pounds through the county boards of health under strict state supervision. The revenues from

license fees - and we would be willing to pay higher fees - would cover the added costs of this type of operation.

County operation would eliminate contract wardens interested only in a fast profit and would take off the overburdened municipalities the problems which lead to them tossing the problem aside by contracting with a warden who tells them he is doing them a favor by relieving them of this nuisance.

I might add here, Senator, that there was an interview in the Bergen Record, this Sunday, -

SENATOR WALLWORK: I saw it.

MR. SYDER: -- with the contract warden who practically said those very words.

The contract warden system is a poor system at its best and I have never seen it at its best.

Also we ask your consideration to be allowed to pursue our hobby unfettered by discriminatory zoning laws of the municipalities so long as it remains a hobby and does not grow into a business. We would ask, therefore, that you would consider enacting a law similar to that in Kentucky which exempts from local zoning laws the keeping of dogs for the hobby of the owner, stating that the occasional raising of a litter of puppies shall not be considered a business pursuit.

Naturally those of our people who raise a large number of litters in the course of a year expect to be governed by the regulations applying to kennels. Most of our members are only occasional breeders who do so in conjunction with their hobby of showing, training or hunting with dogs.

In closing, let me state that the New Jersey Dog Federation recommends and urges the passage of S-875. It is a good and workable piece of legislation that is long overdue in New Jersey.

I thank you for giving us the opportunity to speak on this bill.

SENATOR WALLWORK: Thank you, sir.

I would like to ask a couple of questions. You talked about the puppy farms from the midwest. Does New Jersey have puppy breeding farms here?

MR. SYDER: To the best of my knowledge, no. I don't know of any.

SENATOR WALLWORK: So the only way that we could regulate these puppies coming into the State would be how, in your judgment?

MR. SYDER: Some sort of an import regulation, probably a rule requiring health certificates within a short period of time before shipment, and possibly regulating the methods of shipment so that they are brought in under humane conditions, in proper crates, and so forth. This would at least make it more expensive for the importers of the dogs and possibly make them more interested in the locations from which they get their product.

SENATOR WALLWORK: But I think, though, that this is more of a federal government regulation because it is interstate commerce.

MR. SYDER: Possibly so.

SENATOR WALLWORK: I think there are some bills before the Congress on this and I would heartily endorse them. It would seem to me that the only thing we could do here would be to have better restrictions on the selling of the puppies locally, to make sure the veterinarian had inspected them and they were healthy and that the pedigrees were in order. I think that would really be all that we could do in legislation here in our State.

MR. SYDER: Well, as far as the pedigrees go, sir, I don't think we really need legislation on that. The American Kennel Club, which registers all pure-bred dogs is seriously looking into this problem now and trying to straighten it out.

SENATOR WALLWORK: One other question. In S-875 there is a provision for unclaimed dogs to be retained upward

to 14 days. Do you think that's an excessive period of time?

MR. SYDER: No, sir, I don't, particularly if they are obviously not strays but obviously are somebody's pet that has had a misadventure.

SENATOR WALLWORK: You refer to contract dog wardens and suggest that you would like to see non-profit organizations really run the shelters or pounds or what-not. Do we have adequate laws here in the State to regulate and control the pounds and shelters to make sure that an animal, while it's in one of these pounds or shelters, would receive proper care?

MR. SYDER: I don't believe we do, sir, no.

SENATOR WALLWORK: Where are we lacking?

MR. SYDER: First of all - and this is not so much the law as the application of it - we do not have the authority, as Dr. Oscar Sussman from the State Board of Health - we don't have an adequate number of inspectors to inspect these pounds. Secondly, there is no control over who operates the pound and what their connection is with other business. For instance, I know that this dog warden that I referred to, mentioned in the article, his brother is a licensed dealer of dogs. Who is to know whether he is keeping the dog the required time or if it looks like a good subject for his dog dealer brother, shuffling it under the counter and getting it out quick to the man.

We do have regulations providing that the warden must notify the police in the town in which he is working that he has picked up a dog. As a former Police Commissioner in that town, I'd say that that rule is honored more in the breach than the observance. If the police call him to pick up a particular dog, they have a record of it. They don't know always what others he might have picked up on the course of his tour around the town, if he saw something that was particularly attractive.

SENATOR WALLWORK: All right. I think I have no further questions. I thank you very much for appearing here

today.

MR. SYDER: Thank you.

SENATOR WALLWORK: Dr. William Carter. Would you give us your full name and the organization that you represent?

W I L L I A M C. C A R T E R: My name is William C. Carter. I am a Veterinarian and I represent the New Jersey Academy of Veterinary Medicine and Surgery. I am representing them today mainly because Tevis Goldhaft, the President, has had an illness in the family and cannot be here. So I didn't know about this until just last night and I wanted to present this a little early because I have an appointment with the doctor myself. So the statement that I'm going to present is the policy of this professional organization that's mainly dedicated to continuing education and improvement of skills of veterinarians.

1. Recognizes the overriding sanctity of human life and the value of animals in teaching and research to save and prolong human life and animal life.

2. Recognizes the unique qualification of trained experts in specialized fields of science to determine the need for animals in programs that are designed to benefit human and animal health - in teaching and in research.

3. Recognizes the expert qualification of those professionally trained in animal care to supervise the care of laboratory animals.

4. Opposes senseless slaughter of animals that might benefit teaching and research for better human and animal health.

5. It will aid the pet owner as far as possible in recovering his lost pet so that it will not end up being slaughtered in a pound or shelter.

If I may elaborate just a little while I'm here. Besides being a veterinarian for twenty years, I also have a degree in public health and before that I was an animal husbandryman - I was actually a livestock specialist for

Cornell University. So I have a long experience with all types of animals. I have worked for the New Jersey Department of Health for 19 years and I am a little acquainted with the few questions that you asked before, if you would like to have me elaborate on them.

SENATOR WALLWORK: Yes, I would.

MR. CARTER: At the present time, the only real control we have for animal experimentation, under any statutes that the New Jersey Department of Health can enforce or administer, lies in a statute - and I can furnish this to you, I'll mail it to you -- it was originally designed for the New Jersey Society for the Prevention of Cruelty to Animals but it's enforced by the State Health Department. It allows for one thing that one person mentioned very briefly - for philanthropic organizations, if they so elect, it's not mandatory, in other words it's optional, - representatives from the State Health Department can visit their laboratories as often as they would like and inspect their kennel facilities for animals to see whether they are complying with this section of the statute. And anything that isn't mandatory, pretty obviously you will have the real fine, ethical institutes who will want to comply, whereas maybe some of the laboratories or other places wouldn't want to comply because they may or may not want you to be there. But we do have an elective law and I think we have about 26, maybe 27, facilities of the nature of Merck Sharp & Dohme, and only part of their institute that's non-profit complies with this although we go to all of their places. And then, hospitals that do work, you know, heart transplants, kidney transplants, and also the New Jersey School of Medicine where they have to have animals in order to teach students some of the basic principles of surgery before they can even do any work on humans. And I can allude just a little bit to the statement made by the previous speaker, that we did improve our regulations concerning kennels, pet shops, pounds and shelters. But, you know, like a lot of

regulations that they give the State Health Department - we're a little bit short of inspectors, so we aren't exactly able to give them the direct care that we would like.

SENATOR WALLWORK: Do you think that here in New Jersey, Dr. Carter, we have enough veterinarians?

DR. CARTER: Well, we are a little on the short side as far as small animals are concerned and greatly on the short side as far as large animals are concerned. And we are approaching a real severity of shortage in the field of pharmaceuticals and research. There are only, I believe, 19 accredited veterinary schools in the United States today, none of which are in New Jersey. And there is such a demand for entrance, especially by their own state residents that it makes a pretty difficult row to hoe for a New Jersey resident to get into any state, and it's more likely that a New Jersey resident would come back to New Jersey after he has graduated. And due to the severity of the shortage of schools, plus the big demand of boys and girls wanting to be veterinarians, the shortage is becoming more acute for all the types of work that veterinarians do. So, we are short in New Jersey and we will continue to be short.

SENATOR WALLWORK: Do veterinarians have the opportunity to inspect the various pounds or shelters?

DR. CARTER: The administrative procedure right now is that we have six rabies control wardens and five of these rabies control wardens are in four districts in the State and they do many other things besides trying to promote - and these rabies control wardens aren't veterinarians, they are under the supervision of a veterinarian. And there are probably over six hundred kennels, pet shops, pounds and shelters. Now I'm not sure of the exact number. And they just don't have enough time. The veterinarians do try to train the rabies control wardens and then they will, with special problems, go to the pounds, shelters and pet shops or kennel, but they just don't have enough time, considering all of the other work, considering epidemiology

and the research that we do in certain instances, to actually properly supervise them with the amount of money that we have available to pay the inspectors and the veterinarians at this time.

SENATOR WALLWORK: Well, in the various pounds or shelters, when a dog is euthanized, is it being done today generally here in the State under humane methods or is it not?

DR. CARTER: Oh, yes, sir.

SENATOR WALLWORK: In every instance, would you say?

DR. CARTER: Well, in every instance which we're aware of. In other words, if we've been to a shelter - I'll just give an example. There's a shelter in Cumberland County operated by the SPCA. Well, that is humane. There is a shelter operated by one of the community wardens, as they mentioned, and their animals are euthanized humanely. It's either through carbon monoxide, either by pressure chamber or regular chamber, they give them Nembutal or any other anesthesia - an overdose in the vein. There is one way in which they do it in the Monmouth County Shelter - it's an electrical type. And there are carbon dioxide chambers in others. But it is being done, as far as we know, humanely.

SENATOR WALLWORK: So far as we know.

DR. CARTER: I mentioned before, we have a limitation of rabies control wardens to supervise it. The State Health Department is doing the best it can with the amount of money they have.

Now I will mention one other thing. All of this work is done through a dedicated fund in which each year we do not have to ask the Legislature to appropriate the money. The State Health Department receives 50¢ for each dog licensed. And beside furnishing syringes for rabies vaccination at local clinics and supplying the vaccine and paying for all of the inspectors and all of the administration, we do run a little short. But none of the money, except in an emergency situation, is ever asked from the general public on this. This is a dedicated fund and

it is spent for no other purpose except those directly related to rabies control.

SENATOR WALLWORK: How much more could you use in that dedicated fund to have a better program here in the State?

DR. CARTER: I am not really prepared to answer that but it might be \$100,000.

SENATOR WALLWORK: And could you give me an estimate of how many dogs are euthanized in pounds or shelters throughout the State on an annual basis?

DR. CARTER: I cannot tell you that right now from memory but I can supply it to you from a survey that we did several years ago.

SENATOR WALLWORK: Approximately what percentage are euthanized?

DR. CARTER: That are picked up off the street, under the provisions of our law?

SENATOR WALLWORK: Yes.

DR. CARTER: Oh, I would think over 50% that are senselessly euthanized, you know, that could be available for research purposes.

SENATOR WALLWORK: And that would be in the realm of how many thousands of animals?

DR. CARTER: Well, it's just too difficult to say. I can try to supply you some of those figures.

SENATOR WALLWORK: I wish you would because I think that could be important.

DR. CARTER: When you consider the value they could be, it's astronomical in terms.

SENATOR WALLWORK: And how would you categorize this so-called animal waste, actually? What should be done with these animals?

DR. CARTER: Well, of course, it is our opinion that they should be available for research purposes in institutions which are under our supervision where they can be handled in a humane manner to benefit not only mankind but animals. Remember all the research that we do

with animals not only benefits human beings but it benefits other animals. If veterinarians weren't able to use animals in their training before they are licensed, they would never be able to do any of the work that they do in their practice in regard to their pharmaceutical or their surgery. So they are actually benefitting animals just as much as they are humans.

SENATOR WALLWORK: Thank you very much, Dr. Carter.

DR. CARTER: I appreciate it very much and I will send you all the information I can gain. Thank you.

SENATOR WALLWORK: All right. Thank you.

Dr. John Bauman.

D R. J O H N B A U M A N: I am John Bauman of Princeton, New Jersey. I am on the Faculty of the College of Medicine and Dentistry of New Jersey, at Newark, and in that capacity I speak for the Faculty, Administration and Student Body of that School. What I present here will be brief.

We are engaged in medical research and teaching. We believe, deeply, in the importance of medical research and teaching to man.

Since 1969, to our knowledge, four bills, A-518, A-852, S-841 and S-875, which would affect animals used in medical research and teaching have been introduced in the State legislative bodies. You have heard us criticize some of these bills before. Today, however, we are here to testify in support of one of them, Senator Wallwork's Bill, S-875.

Our arguments and concerns have not changed. We remain opposed to legislation that would make medical research prohibitively expensive. We have opposed, and still oppose, legislation which contains complicated requirements for extensive record keeping, much of which duplicates provisions in already existing laws. In effect, such requirements would increase costs of research and teaching by requiring extra clerical assistance, and could unnecessarily encumber the researcher with petty paper work. And along with other taxpayers, we object to unwarranted

increases in the cost of tax supported medical education.

Even more importantly, we oppose measures which require the payment of special fees or provide complex methods of procurement, thus, also resulting in high animal costs. Such measures are double-edged. First they add directly to the cost of experimental animals through the fee requirement, but they also surely invite pet-napping by making that activity more profitable. Already the cost of laboratory animals for research or teaching is high. The cost of an unconditioned mongrel dog for example, is in some cases equal to or greater than that of an AKC registered animal. It is not hard to imagine the temptation presented unscrupulous dealers by even higher laboratory animal prices.

Senator Wallwork's bill contains neither of these objectionable items. In fact, it takes a major stride toward elimination of any form of profiteering by animal dealers or pound masters (see Section 16D, as amended). And it contains some other measures worthy of your approval.

Not only does it recognize the need for animal experimentation in medical research, it shows awareness of the needless waste in destroying animals which could benefit man. The bill also shows an awareness of the too often inhumane methods used by some dealers (and certain organizations) in killing animals, and provides, for the first time to our knowledge, needed control of methods used in animal disposal. Of equal significance, it provides sound, realistic measures for the safeguards to pet owners. Through its provisions for tattoo identification of pets at minimal cost it assures those of us who are dedicated to medical

research and teaching that we are not using someone's pet. In the years before the Animal Welfare Act of 1966, this suspicion was at times a nagging worry to many of us. We were, of course, then without any means to check out that suspicion. The Bill also provides, through the requirement of a seven day minimum detention time, and active efforts by pound masters to locate the owner as outlined in Section 16C, a reasonable, workable and comforting guarantee to pet owners.

We think that if it's the intent of this body to protect the pet owner and his pet by legislative action, this bill, unlike others we have seen, is the way to accomplish that goal. It does not impede and constrict medical research and teaching; it does not waste life. It is aimed at safeguarding pets and owners, and it is true to the mark. We applaud it, and urge your acceptance of it.

Thank you.

SENATOR WALLWORK: Doctor, a couple of questions. Where does the College get its animals now, for experimentation?

DR. BAUMAN: I can't answer that. I can get it from the Animal Department. I can't answer that.

SENATOR WALLWORK: In other words, they purchase these --

DR. BAUMAN: They purchase them, that's right.

SENATOR WALLWORK: How many dogs, for instance, do you generally use in the course of a year's time?

DR. BAUMAN: In research and teaching, together?

SENATOR WALLWORK: Yes, in the College.

DR. BAUMAN: Oh, in the whole College. That's a very difficult question to answer. I have not that figure but it's a sizeable number.

SENATOR WALLWORK: I would assume that, if we had a tattoo system here in New Jersey, the College and other people would have no objection to having a provision in there that any dog that has a tattoo would not be used for experimentation purposes.

DR. BAUMAN: I would think it would certainly be checked out to see if he is an unwanted animal. I would think that that would be the advantage of having a tattoo system.

SENATOR WALLWORK: Can a pound animal serve a useful purpose, if it's an unwanted pound animal, in medical research, or would this animal be of such doubtful origin that it would not be of benefit to, let's say, the Medical College?

DR. BAUMAN: There is no reason why a pound animal could not serve a useful medical purpose. If it's a healthy animal and if it were conditioned, it certainly could be a useful animal in medical research.

SENATOR WALLWORK: Are you familiar with the rules and regulations that the College must operate under, insofar as keeping a clean pound or keeping a clean area in the College and proper care for the animal?

DR. BAUMAN: Well, most of us are guided by those rules for animal care promulgated by the American Physiological Society, which are listed rules for animal care which, to my mind, are extremely humane and demand actually of researchers and teachers that they maintain clean and healthful animal care facilities.

SENATOR WALLWORK: But these are just guidelines, they are not laws as such, or regulations as such, promulgated by the State, are they?

DR. BAUMAN: They are guidelines but they are subscribed to by almost every researcher and teacher that I know.

SENATOR WALLWORK: You don't know of any laboratories in the State that would be operating in an inhumane way?

DR. BAUMAN: I have yet to find a medical school researcher or teacher who uses animals in an inhumane way, and I have been not in the State of New Jersey only, this is from my experience at the University of California, New York University and now here.

SENATOR WALLWORK: Fine, Dr. Bauman. We appreciate your being here with us today.

Dr. Farnham. Would you give us your full name and who you represent, sir?

D R. J O H N F A R N H A M: My full name is Dr. John Farnham. I am a Veterinarian employed by the American Cyanamid Company at Princeton, New Jersey. My position is that of - I'm in charge of government registrations in the agricultural area.

I have submitted to you a letter signed by Dr. James Affleck who is our Division Manager. He regrets he cannot be here. If you wish, I can read this into the record or if it would simplify things by just making it a part of the record, it might save us some time - whichever you wish.

SENATOR WALLWORK: Well, why don't you give it to us and we will insert it in the record and then you can make any synopsis that you so desire. (See p. 83)

DR. FARNHAM: All right, if I could, I would expand a little on what Dr. Affleck's letter says.

First of all, both he and I want to go on record as wholeheartedly endorsing this bill. My reasons - I'm speaking somewhat on behalf of the Company but also in a personal vein. I was a practicing Veterinarian in Connecticut for over 16 years. Following that era, if you will, I spent four years with the Division of Toxicology in the Food and Drug Administration in Washington; four years after that, which brings us up to date, I have been affiliated with a drug company. During this time, I think I benefitted somewhat in the best of two worlds. During the time I was in practice, which encompassed the 50's and the late 40's, I was the beneficiary of an awful lot of new medicines, new techniques, surgical techniques, prosthetic devices, all of these things came about during that period, and these are the result of research, these are the result of drug developments, and certainly the part that animal

experimentation played in these developments was very significant.

When I was with the Food & Drug Administration, I was introduced to a new facet of medicine, if you will, and it made me very well aware of the worth of laboratory animals, dogs, cats, and the classical animals such as mice and rats and what-have-you.

You cannot do good pharmacology, you cannot do good toxicology without trying it out. As my predecessor has said, he is chagrined or amused, however you want to put it, over the fact that we hear about these computer programs people are trying to set up. Believe me, Cyanamid, the Food & Drug, and anyone would welcome such a program if it were feasible. I'm afraid I am very skeptical on that score.

I would also say that in the course of my travels, both in industry and in Food & Drug, I am intimately acquainted with several laboratory setups. Those at Food & Drug are very good; those in the industry, that I've seen, are good; and those that I've seen in what we call contract laboratories, such as toxicology or pharmacology contract laboratories, they take awfully good care of these animals, they do it for humane reasons primarily, they do it, secondarily, if you will, for economic reasons. By the time you put any animal on a longterm toxicity study the initial cost of that animal is a very small percentage of its real worth to you. You have a bank of information in that living animal that you just can't get any other way.

Specifically, your bill, I think, deserves support because of the fact that it spells out the fact that dogs are tangible personal property. I like the idea that it provides a means by which the responsible, thoughtful, dog owner can identify his dog, via tattooing which is, incidentally, a relatively simple operation. I don't think it dignifies the term "surgical operation."

I think this method by which you would pick up dogs who are accidentally killed along the highway and

identify those. would save a great deal of anguish in the case of some owners - where a dog disappears and it is not happy news to know that he's dead but it's better than not knowing at all.

Lastly, and I think this is the one that's most attractive to me, it states that it is the public policy of the State of New Jersey - or it states the advantage of animal testing to public health -- I didn't put that very well. I've lived through a very interesting era over the past 30 years. I think they've been the most exciting and the most productive we've seen in medicine. As I say, this could not have gone on without animal testing. This, of course, has a direct impact on the State of New Jersey. It's a poultry state, a big dairy state. Our animals here have benefitted from this research.

Now, frankly, my predecessors at this table have stolen a lot of my best lines so, rather than be repetitive, I think I'll begin to back off.

SENATOR WALLWORK: Let me ask one question, sir.

Do you think that there is anything morally or ethically wrong in having an unwanted, unclaimed dog turned over to a research center?

DR. FARNHAM: No, I do not, definitely. I think it's morally wrong to destroy them uselessly.

SENATOR WALLWORK: All right. I think that I have no further questions. I appreciate your being with us today.

DR. FARNHAM: Thank you very much.

SENATOR WALLWORK: We will take one more witness before we break briefly for lunch.

Dr. Oscar Sussman.

D R. O S C A R S U S S M A N: My name is Oscar Sussman. I am President of the New Jersey Public Health Association. I am a Veterinarian. I have a Law Degree and I have a Masters in Public Health. I have been in veterinary practice and I also have worked in health work with regard to preventive medicine.

The New Jersey Public Health Association, Senator, is an affiliate of the American Public Health Association, and this is the major national organization that has to do with health in the United States. And our Public Health Association here in New Jersey has been in existence since 1875 and it has concerned itself with all aspects of public health and has endeavored to raise the level of public health practice consistent with the personal rights of the individual citizen.

The Association fully endorses Senate Bill 875 in its effort to promote continuing progress in the health sciences while safeguarding the right of the individual to keep and enjoy the company of pet animals. Senate 875 addresses itself to an area of growing concern and deals directly with its fundamental elements: the expectation of the individual to benefit from the physical and social progress our level of advancement has made possible.

We are all well aware of the advances in curbing communicable diseases that have resulted directly from animal experimentation. Without animals, there would be no effective treatment for tuberculosis, no preventive vaccine against smallpox. There would have been no polio vaccine, no preventive measures for pertussis, diphtheria, and a host of other diseases that had plagued mankind for generations before our pioneering scientists were able to attack these problems by means of live animal models. From them, we have learned, we have tested, and we have succeeded. From animals, we shall continue to learn, and test, and succeed. Those who question the need for animals to continue the glowing progress that has been made do us all, and themselves, a great disservice.

It should not be necessary to justify the use of animals for medical research and education; this need has been proved over and over again. It holds the only hope for continuing progress in the more difficult fields where our knowledge has been sufficient only for minor

successes. Without live animals, we cannot expect our current knowledge to grow further, and the health problems of the past will remain health problems in the future. Such a ceiling on learning and its application to human welfare cannot be permitted. We must declare forthrightly the concept of animal experimentation as a matter of public policy. In this statement, we are wholly in accord with Senate 875.

Now, I would like to point out that for years in this State there has been a question as to whether or not it can or cannot be done - namely, animal experimentation. There was a court case that was heard in the last four years which actually showed that there was no prescription or proscription against animal experimentation in the State of New Jersey, and this was approved by the highest court in this State. So, the question as to whether or not there shall or shall not be animal experimentation has been decided by the highest court in this State already, based on the legislation.

This legislation, S-875, points out - and I would like to make this a strong point in our presentation -- points out that there is a need to put down public policy so that there won't be this continuing harassment of scientists and persons who are trying to protect the public by the statement that you should not do animal experimentation. The real thing that this bill does do is that it points this out in clear, concise language so that there is no equivocation in anyone's mind, and we are wholeheartedly in support of this particular portion of this bill.

Now the policy of animal experimentation does not infringe in any way upon human rights. The family pet is a cherished participant in family life, to be protected and cared for. If lost or strayed, it deserves every effort we can make to reunite it with the family that has taken it in their midst. We concur with the provisions of S-875

that would strengthen and extend these mechanisms for speeding the safe return of a pet to its home.

We must recognize, however, that not all animals are given the care and affection of the family pet. If permitted to roam freely, they may become threats to public health, and we have sought to cope with this problem through such measures as rabies control legislation, for example. It has been our custom to hold these unwanted animals in pounds and shelters, so that they may not become a health hazard while an attempt is made to find a home for them. We seek to provide adequate care for them during this period. Many do eventually find homes and become family pets. The others remain a matter of concern, and increasingly seem to have become a matter of contention. It is our view that the unwanted and unclaimed animals can make a contribution to the public welfare by serving as live models for education and research -- and thereby benefit not only mankind but their fellow animals also because these animals are subject to illness and accident. There can be no justification for killing animals uselessly.

I have estimated that in this State there may be as many as 50,000 dogs killed every year in pounds and shelters. And there is a considerable amount of discussion by people that it would be easier if all of the scientists would get all of the dogs from bred colonies. I would like to point out one thing. You asked a question of one of the previous witnesses, whether it would morally and ethically be acceptable to him to use animals for medical research. I think that has already been determined that it is morally and ethically acceptable. I think the thing that has not been morally and ethically determined, in the minds of some people who would object to this type of legislation, is that they would rather have all 50,000 dogs, that could not be returned to their home or for whom a new owner could not be found, killed. And I would like to point out that if we need 5,000 dogs and/or cats in this State to

help out medical institutions, both private and public, to teach students, that what we mean is that if they cannot obtain those 5,000 animals from the 50,000, then there must be 5,000 more animals that have to be produced. That means that 55,000 animals will eventually, in most cases, be killed, although some are eventually given homes after the research is done. For the most part, even assuming the worst, we have a situation where there are 50,000 dogs or cats that are going to be killed in pounds and shelters. We then need 5,000. We have to determine whether we can let these people use the 5,000 animals, and if we say they have to get them from bred colonies then in reality what we are saying is, we want to kill not 50,000 animals but we want to kill 55,000 animals.

You see, the point I am trying to make is, if you make the determination that Rutgers Medical School, or one of our pharmaceutical companies, or someone else, could have used successfully some of these 50,000 animals and if we say, no, you can't take them, you have to breed them, then I think the most inhumane and cruel task has been determined because what we're saying is, we want to kill 55,000 animals, not just 50,000. And I think if you are really trying to arrive at a morally and ethically correct situation, you certainly don't want to allow us to kill more animals than should be killed, assuming that all of them are going to be humanely treated. And that's an assumption that I think is not to be desired but is a fact.

Now, as I said, the others remain a matter of concern, these animals that are in the pounds and do not have homes or are not picked up. And we feel that these animals can make a contribution and that they should be allowed to be used as live models as a contribution to the public welfare. And I reiterate, there can be no justification for killing them uselessly, as so many thousands die every year when they might be used to improve the level of life for all living things, including other

dogs and cats, because while many people object to animal research, they fail to realize that vaccines that they would like to have used on their animals first had to be tested on some animals. And none of these people would want us to test it on their animals. And if one of their animals had a broken leg, they would like us, as Veterinarians, to be able to treat that animal perfectly, but they would not want us to experiment and test the treatment materials on their animals. They would like us to spay animals but they would like us to spay animals without testing and learning the process on their animal. They would like us to do it on someone else's animal and, of course, this is not a very good procedure. So when we are training veterinarians in the United States or when we're training physicians, - the first heart surgery that a heart surgeon does on a person is not normally his first heart case, it's normally done where he has felt and done the work on animals previously.

We endorse the provisions of S-875 to reform fee and contract arrangements, and to upgrade standards of care in all animal facilities. This bill, in the opinion of the New Jersey Public Health Association, is clearly in the public interest and we support it fully and we commend you for having given us the opportunity to have this hearing and present our views.

SENATOR WALLWORK: A couple of questions, Dr. Sussman.

Do we have adequate inspections and controls over the various pounds and shelters throughout our State? This is your opinion, you know.

DR. SUSSMAN: My opinion is that we have as good a measure of control on the pounds and shelters in this State as exists in any other state. There is always a question as to whether you should inspect something every day or twice a week or once a month or every year. And I think the question really is that under normal circumstances we have as good a control as exists anywhere in

the United States on the pounds and shelters. With more money, Senator, if you can do it, we can do more. But I think the controls are fairly adequate.

SENATOR WALLWORK: Of the dogs that go into a pound or a shelter, what percentage would be, here in our State, reunited with their original owners?

DR. SUSSMAN: If you took 100 dogs that went into a pound, not knowing whether they had owners or not, I would assume of the number of animals that are picked up that less than 10% are reunited.

SENATOR WALLWORK: Why would that be, that there would be such a small percentage?

DR. SUSSMAN: In the first place, the greatest majority of animals that are picked up have been bred on the streets by unwanted animals originally. A male and female produce maybe five or six other puppies. And in the summertime, when the cold is not too bad, a puppy lives through. Therefore, you usually have - well, we're killing about 50,000 animals a year right now, and there are still some stray animals. So I think the major share, and the reason for that is that most of these animals are not owned by anyone originally.

The second thing is that many of the animals that are owned do not have proper identification so no one could know who the owners were. And I have had occasion where dogs actually came to me that were from ten, fifteen or twenty miles away. They would be in a different newspaper area, they'd be in a different radio station area. And the dogs just travel. While people don't think so, dogs travel ten or fifteen miles with no problem at all. And if there is a female in heat, you can have a pack of dogs move five or six miles, with no difficulty, in as little as four or five hours.

SENATOR WALLWORK: Is there a public health hazard in New Jersey, would you say, or potentially a public health hazard with the number of dogs running loose?

DR. SUSSMAN: There always is a potential health hazard when you have a number of stray animals that come in close contact with humans, running loose, and I believe that the controls we have, while they are not perfect and never will be, - I think the controls are such that we are minimizing this hazard.

SENATOR WALLWORK: Are pound owners operating today in New Jersey making a profit on the sale of dogs to laboratories?

DR. SUSSMAN: Now, you know a pound - when you use the term "pound" - a pound is a municipally contracted for or municipally owned enterprise. I know of no real pounds that are making a profit. There are dealers according to the Federal law that are in the business of handling animals for research institutions and medical schools that are definitely making a profit. It is a business where animals are bought and sold from breeders, for the most part. So a man raises beagles and sells them through a dealer to a research institution. I think the question really is that in most cases most pound animals would not normally be used for anything but short term experiments. We have experiments, the Veterinary Medical Association of New Jersey - in order to train and teach the veterinarians so that they can properly take care of dogs, we have frequent orthopedic sessions whereby the Veterinary Medical Association itself buys dogs from dealers so that they can be anesthetized and experiment shown either for internal surgery or for orthopedic surgery where we have broken legs, and teach veterinarians that have been out ten or fifteen years the newer techniques. In the absence of doing this, these veterinarians would have to practice on other animals and the only other animals are animals that are owned by people. And this is really not what people want. So we do that. Now, I would say that there is need for that type of work.

SENATOR WALLWORK: Do you think that we have a problem of dognapping here in this State, people having their

pets picked up by unscrupulous dog operators?

DR. SUSSMAN: You see, when you use the term "dognapping", there are a lot of people that say dogs are dognapped. Probably every veterinarian in this State, if he has any type of practice, every week has anywhere from four to twenty dogs that are brought to his hospital that are not owned by anyone, that have been hit by a car, that he is asked to take care of. And these dogs, undoubtedly, are reported as having been dognapped, if they were in fact owned by anyone. Because if I have my dog and I let him loose and he goes out and he runs four miles from my house and he gets struck by a car and then he gets into someplace and there is no tag on him, and I didn't care about this animal, - I didn't care before he got lost, you know, and I don't know he was hit by a car, my first contention is, oh, those people have stolen the dog and they've dognapped him. I have no doubt that some dogs that are pedigreed dogs are being stolen, but not for research. It would be very difficult for anyone to dognap a dog nowadays and sell him to a research establishment. In fact, I think it would be an almost impossibility for anyone to actually dognap a dog and have it turn up in a research establishment that is either supervised in the State of New Jersey by the State or by the Federal Government. And the reason why I say this is that dogs are under such scrutiny that it would be very difficult for anyone to determine where he bought the thing unless he legally got the dog. It would have to come from a pound or a breeder; it can't just be a stray.

Now I think the question that's answered in this bill is very evident. If the people really don't have but crocodile tears for their dogs, if they really honestly want to protect their dogs, if they're really honestly convinced they don't want to have them dognapped and then sold supposedly for research use, then all they have to do is take advantage of the provision in this bill which provides

for registration by tattooing and permanent marking. And then that would obviate completely the possibility of that particular animal getting into a research establishment.

SENATOR WALLWORK: How much would it cost for the State to run a tattoo program like this?

DR. SUSSMAN: I don't know that the State would necessarily have to - you mean, do the tattooing?

SENATOR WALLWORK: No, not do the tattooing but enter the number and keep it in a central registry.

DR. SUSSMAN: Well, in this bill there is a \$2.00 registration fee.

SENATOR WALLWORK: Would that cover the costs?

DR. SUSSMAN: I would assume that if enough people did that, that would cover the cost. Now, I can't speak for the State Department of Health. I'm here speaking for the Public Health Association. But I see no reason why, if the dogs are registered and a fee is paid of \$2.00 - and then, as I understand it, if there is a change, there is a dollar registration fee, I mean for a change, - I can't conceive of the cost being any higher than the actual incidental cost of doing that. And I don't see where there would be any tremendous increase in cost.

SENATOR WALLWORK: About how many dogs would you estimate are not licensed in our State? People have a pet but they don't take the time to register him and pay the license fee.

DR. SUSSMAN: Absolutely none. Now I would say that probably - this is just an estimate - we like to think that we get maybe 90%, but I think probably we are licensing close to 70 or 75% of the animals in the State. You know, some people have a little dog and they keep it with them and the census taker doesn't know that they have it, and they never go down. I would say there are 25% of the people that are illegally keeping a dog in their homes.

SENATOR WALLWORK: All right, Dr. Sussman. I appreciate your appearing here today. Thank you very much.

We will recess until 1:30.

(After recess)

SENATOR WALLWORK: Will the afternoon session of the hearing on Senate Bill 875 please come to order.

Sister Marie Cook, please.

S I S T E R M A R I E C O O K: My name is Sister Marie Cook and I am Chairman of the Biology Department at Georgian Court College, Lakewood, New Jersey.

Speaking as an educator involved in teaching biology, formerly on the secondary level and presently on the collegiate level, I would like to support Senate Bill 875. My main concern is that there continue to exist in New Jersey an uninterrupted flow of animals to be used in scientific and medical research and secondly, that the legislative body of New Jersey give evidence of its concern for private property and the dignity of life at all levels while also encouraging that the proper use of animals in scientific experimentation be taught and experienced by pupils in our schools.

It hardly seems necessary to point out the great achievements in science and medicine that have followed the advent of rational inquiry, that is the mode of thought which underlies science and technology, in our modern world. Most of these achievements speak for themselves, even to those citizens who have little or no knowledge of how these were brought about. But here is the danger. Some of the achievements are appreciated only by trained scientists who are adding small pieces to a bigger puzzle or body of knowledge. Also some of the achievements may be stopped by a lack of understanding and education in the methods of scientific investigation even by those whose lives may depend on these achievements. This, I believe, could happen if animals were not available to be used by man in his rational inquiry.

Here I come to my second concern in regard to this bill, that is education. The man and woman of tomorrow will live in a scientific world which they must understand and adjust to. In fact, the survival of democracy in this country

will probably be dependent on the citizen's ability to foster scientific advancement. This will necessitate, first, a respect for and understanding of scientific method; second, an understanding of the real distinction between pure science and the "research and development" activities that now receive most of our federal support to science; and, third, the recognition of the dependence of the latter on the former.

In order to attain these objectives, there has been a total rethinking about the teaching of biology and all of science. Biology is particularly important in that it is the terminal science for a high percentage of our high school students. This is true also for the collegiate level of education. Science is increasingly being taught as an "enquiry" subject. This involves a radical departure from the conventional text which presented a series of dogmatic positive statements and tended to convey the impression to students that science consists of an unalterable body of fixed truths and answers. Older methods failed to show that science knowledge is more than a simple report of things observed, that it is rather a body of knowledge forged out slowly. Also it failed to show that the data and raw materials for new discoveries spring from planned observations and experiments. Hence, all the newer science programs stress laboratory work. This emphasis resulted primarily from the recognition of the importance of student participation in the collection of data and analysis of real phenomena. The student gets a chance to learn science by doing what scientists do, investigate real scientific problems. Even the student who will not continue in science gets a better picture of science by being for a brief moment a scientist, doing what a scientist does, facing the problems of a scientist, and savoring the disappointments and joys which are the lot of the scientist.

There is another important argument for extensive student participation with living material in the laboratory;

Piaget and others who have studied intensively the manner in which young people form concepts have presented abundant evidence that concepts cannot be "internalized" by the pupil unless he has experience with the materials involved.

I see Senate Bill 875 as a help to accomplish some of the forementioned goals in education, primarily because it seems to balance proper concern for animals as pets with proper use of animals in experimentation. In the bill pets are protected by being better marked. A longer holding period is indicated for owners to find lost animals and profiteering is discouraged.

There is no doubt that we need to teach healthy attitudes in the young toward animals. It is not uncommon to hear of children mistreating animals. Hence, a clear distinction must be made early in education so that there is no confusion or equivalence between hurting an animal for fun or sadistic purposes with using an animal with intent of future good in planned experimentation.

SENATOR WALLWORK: Thank you, Sister Marie Cook.

Do you use animals at the Georgian Court College?

SISTER MARIE COOK: We do use animals. We do not use dogs but we have used rabbits, frogs, rats, mice, the smaller animals. However, my concern is with the principle of the ability to use animals in experimentation.

SENATOR WALLWORK: All right. I think your statement is rather complete and I really can't think of any other questions to ask you. I appreciate your being here with us this afternoon.

SISTER MARIE COOK: Thank you.

SENATOR WALLWORK: Thank you.

Mr. Coleman?

A L B E R T C O L E M A N: I am Albert Coleman. I am Assistant to the Director, Dr. Lewis L. Coriell, of the Institute for Medical Research, a non-profit institution in Camden. Dr. Coriell regrets very much that a requirement that he be in Washington all week precludes his being here. His statement is as follows:

Although my principal occupation has been Director of the Institute for Medical Research since it was formed in 1953, I am primarily a pediatrician. My professional background includes medical practice, research, consulting, teaching medical students, and directing a hospital. I hope I can be called humanitarian and I have always experienced a deep sense of civic responsibility. My statement on S875 reflects experience gained in all of the preceding.

I suggest that throughout the future this bill will be a landmark of the State's concern for its citizens' affection for their dogs -- and for the animals themselves. This is the inevitable consequence of the proposed registry which should virtually eliminate dog thefts and do all that is practical to ensure the return of stray dogs to their owners. In order to extend this protection beyond the limits of New Jersey, I hope and presume the identifying series will include the name or abbreviation of New Jersey.

Other related and most commendable features of the bill include municipal use of fees for identifying and advertising lost dogs, a firm requirement for notifying owners when registered animals have been seized, and retention of such dogs for a full 14 days.

If, in spite of the great protection afforded by the bill, an occasional dog cannot be returned, its owner will certainly find consolation in the requirement that reasonable efforts will be made to place the pet in the home of an appropriate individual or family.

I wish to applaud also the bill's emphasis on humane treatment of dogs while in the custody of dealers, institutions, kennels, pet shops, shelters and pounds. On the basis of extensive experience with small animals -- mice, rats, rabbits -- at the Institute for Medical Research

and my observations of other research and testing institutions where dogs are used, I can state categorically that there is absolutely no need or justification whatsoever for inhumane treatment of animals. In empowering the State Department of Health to promulgate regulatory rules and regulations substantially identical to those of the United States Department of Agriculture this bill will ensure humane treatment, in New Jersey.

Finally, this bill has great merit for its unequivocal recognition "as the public policy of the State of New Jersey that experimentation and testing in the field of public health are necessary to the development of medical and scientific research and thus to the public welfare. The Legislature of the State of New Jersey understands the importance of using experimental animals in such research and approves of the use of all species of animals in experimentation within the State in properly conducted and regulated institutions." The "necessity" spoken of is a simple and inescapable matter of fact which no amount of oratory can erode. This explicit statement of policy is clear and in accordance with most state laws. Its encompassment of all species of animals, including dogs, is courageous.

I could comment on other features of the bill but believe it appropriate to confine my statement to those areas within my principal purview.

In conclusion, I congratulate Senator Wallwork for his excellent bill which I strongly endorse without reservation. To the Committee and the Senate I fervently urge passage of Senate Bill 875.

That is signed, Lewis L. Coriell.

SENATOR WALLWORK: All right, Mr. Coleman. I appreciate your being here to represent Dr. Coriell. I don't believe I have any questions at this particular time.

Thank you very much.

MR. COLEMAN: Fine. Thank you for the opportunity.

SENATOR WALLWORK: Dr. Alan Kraus?

Will you give us your full name and your organization, Dr. Kraus?

D R. A L A N K R A U S: Yes. I am Dr. Alan L. Kraus, Head of the Division of Laboratory Animal Medicine and Director of the Vivarium of the University of Rochester School of Medicine and President of the New York State Society for Medical Research.

I am most pleased to have this opportunity to testify with respect to Senate Bill 875 and to convey my moral and philosophical support for this forward-looking, responsible, and constructive bill.

There are several areas covered by this proposed act upon which I would like to comment.

1. It is most desirable that pounds, shelters, pet shops and kennels be included in State animal welfare legislation since, as we all recognize, the recently passed amendments to the Federal Laboratory Animal Welfare Act have not included these legitimate areas of concern. S-875 will, therefore, provide protection for animals regardless of the nature of the organization under which they are being housed.
2. In another area, state-wide and uniform dog licensing, registration, and mortality reporting procedures, including the voluntary tattooing provision, provides the pet-owning public with the maximum possibility of finding their lost pets.

3. Since it is established public policy in the State of New Jersey that animal experimentation is necessary and essential for the advancement of biomedical research and thus the public welfare, it is significant that New Jersey now joins New York State in providing for a) registration of testing institutions b) the promulgation of animal care standards c) regular inspection of such facilities for compliance and d) allocation of other wise unwanted and unclaimed dogs to registered testing institutions (or dealers). Through this means the continuation of vital animal experimentation in properly regulated institutions will be insured in the State of New Jersey.

The last provision is one upon which I would like to place special emphasis. Since 1952, New York State has had a "pound release clause" in its Public Health Act (in addition to an inspection program for laboratories). Antivivisectionist groups have, however, repeatedly called for repeal of this act since they would rather see unwanted and unclaimed dogs (and cats) needlessly killed than be used to further biomedical research and teaching. To deny qualified medical scientists this source of research animals would deny the very medical advances that have come about through the use of animals - and deny them for both animal and man.

It is not possible to over emphasize the tremendous advances in medical research that have been made through the use of laboratory animals - and many times the laboratory animal has been the dog.

Through this morning's testimony, numerous cases of these advances have been documented and I don't wish to belabor that point.

It is clear that there are moral and economic advantages of using unwanted animals. It is my contention and the contention of many others who have spoken this morning that it is actually immoral to needlessly destroy any living creature. So that the use of unwanted dogs in research, which might result in immeasurable benefit to mankind is indeed moral and justified.

In another sense, unwanted and unclaimed dogs should be made available to testing institutions at modest cost. And this is a very practical, economic consideration in these days of ever-tightening budgets and cutbacks in federally financed research. It is imperative that we be able to provide the highest quality of research for the least possible cost.

The New Jersey State Legislature can contribute greatly to both human and animal welfare by passing Senate Bill 875. And it is most satisfying to see my home State of New Jersey recognize the need for such positive and constructive legislation.

To conclude my remarks here this morning, as an out-of-stater with an interest in this particular bill, because I think it is a very forward-looking and constructive bill, as I have said, I would like to tell a little story which I think illustrates, very dramatically, the impact that medical research has had upon the well-being of humans in this country. It's a story that I first heard comedian Alan King tell but it's not very comedic, in fact it's very touching and I would like to relate it to you.

Mr. King relates the story of what happened to him while he was preparing to go out for the evening. He was standing in front of the mirror straightening his bow tie - it was going to be a formal affair - and his little son came up to him and asked him "Daddy, where are you going tonight?" and he replied, "I'm going to be toastmaster at a dinner."

The little boy looked at him and said, "Well, who is going to be honored?" And Alan King said, "Dr. Jonas Salk." And the little boy said, "Who is Dr. Salk, Daddy?" And Alan King said, "Well, he's the man who invented the polio vaccine." The little boy looked at him and said, "What's polio?"

I think that's a very dramatic illustration of the kind of medical advances that have come about within certainly my life span and the life span of all of us in this room. And with that, I would like to conclude my remarks.

SENATOR WALLWORK: Thank you, Dr. Kraus. I have a couple of questions.

The Metcalf-Hatch Act in New York State, which is what you referred to in your testimony, I believe, - how is that working out in New York? Are there any features in that bill that we could improve upon here in New Jersey?

DR. KRAUS: Well, as you know, the Metcalf-Hatch Act has two provisions. One provision basically calls for an accreditation scheme, an inspection scheme, for laboratory facilities. Of course, up until very recently, when the Federal law came into effect, this was the only means whereby animals actually on experimentation - the holding quarters, the facilities, and so forth, where animals were actually on experimentation were inspected by anyone in the State of New York, since the Federal law did not cover this particular area of an animal research laboratory.

So, up until that time, which has been now within recent weeks, there was no provision at all for this kind of a program and, therefore, I think it has been a very constructive one in the State of New York.

State Inspectors have inspected all State institutions that conduct medical research or teaching programs where they use animals on a regular basis. And I think it has caused general improvement of facilities, improvement of programs

throughout the State.

With the advent of the new Federal law, whether or not this program will need to continue or not, I don't know. Of course, there will probably be some very few institutions that for one reason or another do not fall within the purview of the Federal law. But these will probably be very few and far between because most research institutions, the vast majority of them, would either receive Federal funds to do research or use laboratory animals and, if they fall within either of these categories, their facilities will come under the Federal act. So it may not be necessary to continue this particular aspect of the State program.

On the other hand, the other aspect of the so-called Hatch-Metcalf Act, which is the one that I alluded to, provides that otherwise unwanted and unclaimed pound dogs and cats, in the State of New York, where the owners are not found or they are found and the animals are indeed unwanted, these animals may be requisitioned by, again, the institutions who are approved and inspected by the State of New York for use in biomedical research and teaching. It is not, under our law, an option on the letter of the law. However, there are many ways that individual pounds, shelters, humane societies, and so forth, have been able to elude the vital purpose of the law and not animals to go to research. For example, in the City of New York, the ASPCA has the contract with the City of New York to provide pound facilities for the entire five boroughs of New York. Now, up until very, very recently, they had a form which was filled out by anyone who brought an animal in. It was the only form given to them and if a person wanted to turn the dog or cat there they would have to sign this form. And the form said simply that I place this animal in the hands of the ASPCA for adoption purposes. And there was a second sentence in there that said something to the effect that this animal should not be requisitioned for research purposes.

And they were not given an option. So that by this means this Society, as well as other humane societies and shelter groups around the State of New York who wanted to not allow their animals to go for research purposes, had a very easy out. And in this way I think the purposes of the law have been eluded.

By and large, though, there is no question but what many municipalities have willingly and understandably allowed unwanted and unclaimed animals to go to medical research institutions, but again it is tied into the fact that they are State inspected and approved. And without these animals, I think teaching programs in the State of New York - in which there are nine medical schools and, of course, there are literally scores of research institutes not affiliated with medical schools - probably could not anywhere near fulfill their roles as teaching and research institutions.

So, in general, I would say that the Hatch-Metcalf Act in the State of New York has been a very effective one but it is one where we are continually having to fight the same battles year after year from the antivivisectionists who would like to see both sections, particularly the pound release section, repealed. And I am sure again that in this legislative session we will probably have the same efforts made to repeal this. But, of course, the medical schools and the research institutions and many laymen who belong to our society and know of the benefits of medical research will oppose this and we hope we will be able to keep this law which I think is a very excellent one.

SENATOR WALLWORK: One other question. The new Federal regulations which, I believe, are just going into effect - are they not?

DR. KRAUS: Well, as I understand it the bill has passed both the House and Senate and is awaiting Presidential signature and will go into effect in some six months or so.

SENATOR WALLWORK: Is that measure adequate to do the job for most laboratories and research centers so that

we would find in the State of New Jersey adequate controls and inspections to make sure that animals were treated in a humane way? In other words, are there any provisions in the bill that are watered down that are not as good as, say, what you have in the Hatch-Metcalf Act in New York?

DR. KRAUS: Well, the Hatch-Metcalf Act is a very general kind of an act. It authorizes the promulgation of regulations. The regulations themselves are quite loosely worded, and so forth, and allow quite a bit of interpretation. They have been enforced, I think, fairly and equitably throughout the State of New York. The Federal regulations, on the other hand, have been fairly specific, the regulations that have been promulgated for the existing law and I am sure that those that will be promulgated for the new law that has been passed will also be fair and equitable, both from the standpoint of practicality and from the standpoint of animal welfare.

I personally believe that the Federal law will probably be sufficient to insure adequate care for animals in the vast majority of research institutions because it's linked to the proviso that federal funds are received and, therefore, they are in this, and so forth. I mean most institutions - I can't quote you figures but I would guess the vast majority, upward of 80 or 90%, will be under the Federal law. The other side of the coin is whether they are going to have the manpower and the money to enforce the act, which has always been a concern of mine with such a far-reaching bill. That's another question. But I think the law itself will do the job.

SENATOR WALLWORK: All right. Thank you very much, Dr. Kraus.

DR. KRAUS: Thank you.

SENATOR WALLWORK: Dr. Taussig?

Would you give us your full name and address, please.

D R. H E L E N T A U S S I G: I am Dr. Helen Taussig, Professor Emeritus of Pediatrics of the Johns Hopkins School of Medicine, a past President of the American Heart Association, and President of the Maryland Society for Medical Research. I am probably best known to you as co-developer with the late Dr. Alfred Blalock of the "blue baby operation" which has enabled thousands of children with malformed hearts to grow up to be useful, self-supporting citizens. Many persons know me as the doctor who alerted the country to the dangers of thalidomide, that extraordinary sleeping tablet which gave a beautiful sleep but when taken by mothers in the early months of pregnancy produced ghastly malformations of the extremities and of the internal organs of the unborn child. Indeed, thus you see I have been closely associated with medical research for more than 30 years. In addition, let me assure you and others that I am a lover of pets. I have a golden retriever and a dachshund, and also two cats and five beautiful kittens. I've found homes for all of them. They're just two months of age. But I'm not leaving my animals in the lurch. I am here today, however, to testify in behalf of your bill, S-875, which I believe is a very forward-looking bill.

The bill gives greatly increased protection to pet owners, permitting a voluntary tattoo system, including central registration for permanent identification, and it also permits the usual licensing and registration tags affixed to the collar, for those owners who do not wish to have their pets submitted to tattooing.

The bill also provides for a longer holding period which gives the owners of lost dogs a greatly increased chance of finding the dog should he stray from his premises, as dogs are wont to do. May I point out to you parenthetically that if one keeps a dog tied up all the time, the dog can give little protection to the home. Those of us who live in rural areas love our pets and enjoy them, but we also feel confident that they give us protection. They protect our homes and they protect us personally. If they are tied up,

it's hard for them to do so. Not tied up, dogs do stray and dogs are stolen. Indeed, I had a beagle stolen once during the hunting season. But I think there is very little evidence that stolen dogs are sold to research institutions. It's commonly said that there is very little proof to be found on that. Full blooded animals and well cared for pets are worth a great deal for breeding and for sale to pet shops. These animals command more money in that way than testing institutions can afford to pay. Moreover, Public Law 89-544 carefully regulates the transportation and sale of dogs across state borders. Although this law may not regulate intrastate transportation and sale, it does affect virtually every medical institution and every veterinarian institution in this country, as there is scarcely a medical institution in this country that does not receive some federal aid. To receive federal, they come under the law. Thus, today there are many safeguards for proper use of animals in biomedical research.

Just as there are a few groups of people in this country who deny the existence of disease and even the germ theory of disease and believe all disease is mental or psychic in origin, so there are a few groups of people in this country who deny the necessity for animal experimentation. Nevertheless, most of us do appreciate that animal experiments are essential both for the training of surgeons and for the advancement of knowledge. And furthermore, the advancement of knowledge has been of benefit to animals as well as to men.

Let me give you a specific example in which I have worked. The operation which I conceived, Dr. Blalock could not have developed without carrying out a series of experiments on animals, dogs they were, in order to test the validity of the idea and also to develop and perfect the operation before attempting to do it on a child. It would have been morally wrong to attempt such an operation on a child without prior careful testing on animals. Furthermore, very few people want to have a surgeon operate on them if

it is his first operation and he had never done anything before. You and I wouldn't but the next person also wouldn't. The answer is to let people operate on dogs first. To obtain surgical training doctors must first operate on animals before they operate on man. Thus dogs are vitally important to us. And let me remind you again that the value of all operations is to give people a better life. It isn't merely to see if you can do the operation but you must let the animal survive and you want the person to survive. And most people are interested in long survival and often, therefore, you must let your animal be sure he's going to survive a long time and not say, two days is enough to know it's all right and you don't know whether infection has come in or anything else. So that long survival is necessary to animals too.

I think it's worthwhile pointing out that animals have gained greatly from medical research. You know your health regulations now demand that our pets, especially dogs, be inoculated against rabies. Almost all pet dogs are immunized against distemper. We at Johns Hopkins Hospital have operated on pet dogs. One dog had a heart operation. He had a congenital malformation and a patent ductus which we diagnosed clinically and the surgeons closed it successfully. He is just as well off as any other child or animal that has had the operation. Another dog was brought to me because his owner saw that he was short of breath. The owner thought he had a congenital malformation of the heart. He was found to have a diaphragmatic hernia. Dr. Blalock operated on him, with his assistants, successfully and the dog returned to being a prize dog again. Time doesn't permit me to enumerate all the other advances of medicine which have benefitted animals as well as men.

To return to your bill, another tremendously forward looking feature of the bill is the permission granted to the municipal dog wardens and agents who must

dispose of the dogs after the dogs have been held for a specific stated time and all measures prescribed by law have been taken to find the dog's owner. These wardens are now permitted to deliver such dogs to testing institutions. Indeed, if all dogs who are picked up by dog wardens and agents, kept in pounds or shelters for a stated period of time and had eventually to be disposed of, - they can't be kept indefinitely - were made available to testing institutions, few other dogs, except those bred for special investigation, would be needed by the medical schools and testing institutions. This would to me ipso facto virtually remove the temptation to steal dogs and to attempt to sell them to a testing institution. Any research institution would prefer to have a dog for free or for a nominal price than pay the high price that the dog stealer would ask. Furthermore, the enactment of this bill into law would act toward the reduction in the cost of medical care, which is a very vital point today. It would help to reduce the cost of research. Dogs and animals are very expensive and getting progressively moreso. If we can reduce any elements, it's going to help reduce the total cost. And medical research is essential if medicine is to continue to progress and medical care steadily to improve. We would all be ashamed to be giving you the treatment, the best we knew, of 50 years ago, if we hadn't made any improvements. And we don't want to stand here the next 50 years and say we're only doing what we're doing today. So we have got to continue to study and we've got to continue to do some animal experimentations.

This law would add protection to dog owners in that it regulates the pay which the municipal dog wardens and agents may receive and thereby eliminates the danger of such agents being subjected to bribing and profiteering.

Indeed, the only suggestion which I recommend is on page 2, line 27, and that is the insertion after the word "distributed", the words "with or", so that the

sentence would read, "Shelter shall mean any establishment where dogs are received, housed and distributed, with or without charge." Without this correction you may find that shelters may make a charge for distribution of dogs and thereby be exempt from the law. If you put in a nominal charge still not raising enough to significantly do it, they could still say they are exempt from the law.

With this single exception which I suggest to strengthen the bill, I am heartily in favor of your bill S-875 and congratulate you, Senator Wallwork, on the introduction of this bill which should be of benefit both to pet owners and to research workers and aid in the advancement of medical research which will benefit both animals and mankind.

Thank you very much.

SENATOR WALLWORK: Thank you, Doctor Taussig.

I would like to ask one or two questions.

The so-called pound dog that is not wanted by its owner or has no owner, or what-not, is that dog able to be used properly in a medical research facility?

DR. TAUSSIG: Some are not; many are. We have been over that many times in Baltimore. Some of them are in such poor states of health that they are not; some of them are in a good state of health; some of them are reasonably good and those can be used for training surgeons, for educational purposes - you don't expect a person in the best of health to come in. And in some of the experiments you certainly want a dog in first class condition. But many times in learning to do operations the pound dogs are admirable for it.

SENATOR WALLWORK: So, in other words, there is a great use that these dogs --

DR. TAUSSIG: Yes. I'm sure it would really be of great benefit to many of the medical institutions, the teaching institutions.

SENATOR WALLWORK: In teaching institutions, such as your affiliation with Johns Hopkins, do they handle these things using precise humane methods with the animals?

DR. TAUSSIG: Certainly. When you're teaching them you want to teach them asepsis, you want to teach them anesthesia.

SENATOR WALLWORK: So, it's just as though it were a regular operation.

DR. TAUSSIG: An air conditioned room, operation room, and you see again we urge them to expect to have the animals survive because we want to know that they haven't got infection, that they haven't got complications, there isn't any bleeding, they don't get adhesions. You want them to be able to do a really first class operation when they operate on a patient .

SENATOR WALLWORK: Why are dogs and, presumably, cats useful in this, and not other forms of animals?

DR. TAUSSIG: I think it's a convenient size. You want it large enough to have tissues that are good to do. The rabbits are a little difficult. They are used a good deal. Piglets are coming in. They are small but I understand that most piglets weigh two or three times as much as dogs. The piglets are small in comparison to pigs but they are not small in comparison to most dogs. They are pretty sizeable animals.

SENATOR WALLWORK: I don't believe I have any other questions. I really appreciate your coming a long distance to be with us this afternoon and to give us this worthwhile information. I might add that when I was a little boy a youngster across the street was a blue baby. This was back in 1932 and '33.

DR. TAUSSIG: It's a little early.

SENATOR WALLWORK: Yes.

DR. TAUSSIG: He ought to have been born in '45.

SENATOR WALLWORK: Yes. And he suffered from the blue baby problem and, of course, was constricted in his activities and everything else. I am wondering, since 1945 how many children would you say the blue baby development, that you've been primarily interested in, has helped?

DR. TAUSSIG: I don't honestly know. We did over a thousand operations in the first six years, in Hopkins. And when we checked with the other big centers they had done two thousand. Over the world they have done a great many. Since then they have done further and more operations and this more or less opened up the field to other types of operations. And, of course, some of the children who were born in '32 didn't have a severe enough condition. We had some who lived to '45 and have done very well over a period of years. I don't know how your poor friend got along. I've had the satisfaction of seeing many of them grow up. This is the money that the people and the federal government put in and we saved many of them and most of them are alive as self-supporting citizens.

SENATOR WALLWORK: Today, yes. Now if a blue baby happens to be born, what are his chances of survival to a productive adult life?

DR. TAUSSIG: The chances are good. It depends on what type of malformation he has, and how severe it is. Those that can survive the first year - well, we have 50 of them now who are in the top professional bracket - doctors, lawyers, nurses, administrators, teachers, who are more than self-supporting citizens, self-contributing citizens. And, as I say, I think it required experiments in dogs to both prove the idea and to develop the operation or we would have had a very high mortality rate. As we see it, the opportunity is coming and we congratulate you on the legislation and I hope that it is passed successfully, the standards of other states too.

SENATOR WALLWORK: Thank you very much, Doctor.

DR. TAUSSIG: Thank you very much.

SENATOR WALLWORK: Is Dr. Attalla or someone from the Woodbridge Board of Health here? (No response)

Dr. John Harrison?

DR. SUSSMAN: Dr. Harrison will be late but he

will be here.

SENATOR WALLWORK: All right. Thank you.

Dr. Yager, Paterson Board of Health? (No response)
Jack Owen?

Would you give us your full name and your affiliation?

J A C K W. O W E N: My name is Jack W. Owen. I am President of the New Jersey Hospital Association and I am here to speak in support of Senate Bill No. 875. It seems as though most of the people speaking before me, Dr. Sussman and the last two Doctors, have covered most of the things that I wanted to again express our interest in. I would just briefly, being a little bit redundant, state our views as a Hospital Association why we feel this bill is important.

We feel it is absolutely essential that animals be available for legitimate medical research. Those who claim otherwise are simply not being realistic. We feel that S-875 provides a sound approach to insuring a supply of animals for needed research, while at the same time providing adequate protection to pet owners.

The Food & Drug Administration requires exhaustive testing before new drugs are considered for marketing approval. It is not permissible to use human subjects for at least the initial stages of the testing routine. At the same time it is necessary to use a complete biological system. Less than a complete biological system, such as a tissue culture, does not provide an adequate testing environment. Furthermore, new surgical procedures cannot be developed without subjects to try them on. While every research effort may not produce a meaningful procedure, the cumulative knowledge is certainly most useful and such things as open heart surgery would not be possible were it not for animal experimentation. I think Dr. Taussig described that very aptly. You cannot be closely associated with hospital functions and not be convinced that those responsible for the delivery of health care must make every effort to con-

tinue to look for new and better ways of practicing the healing arts - research is an important part of this.

The protection features for pet owners of this proposed legislation are certainly better than the minimal protection currently available to them. Particularly noteworthy in this regard is the dog registry provided for in the bill. This has been adequately explained and I don't think there is any reason to go into any depth on this. This provision would make available, for those who want to use it, a system of permanent identity operated by the State Department of Health. If a registered dog is taken into custody the bill would require that it be held for fourteen days while the owner is notified. In the event the animal is not claimed, the bill provides for the manner of disposal, which we think is proper.

We believe it is in the best public interest that this legislation be enacted. It establishes as public policy the desirability of using animals already condemned to destruction for legitimate medical research. We urge its passage.

SENATOR WALLWORK: Thank you very much, Mr. Owen. I don't believe I have any questions.

Is Mr. Richard Nevin here? (No response)

Is there anyone here who would wish to testify at this time?

Yes, sir. Will you state your full name, sir?

R U D O L P H D e A N G E L O: My name is Rudolph DeAngelo. I live at 293 First Street in Jersey City, New Jersey. In 1963 I underwent exploratory surgery on my left arm. It was a malignant melanoma. The doctors applied the necessary technology and removed and checked the spread of cancer. The operation required removal of all the lymph glands.. At this moment I would like to show everybody here what experiments on dogs can do. (demonstrating) This is cut all the way down to my heart. I am living proof that my operation was a success. I am convinced that my

operation was successful because every cancer operation before mine, whether performed on animals or other humans, constituted research. My operation and every operation since mine has contributed to research which will allow other cancer victims, like myself, to continue leading normal lives.

I have examined Senate Bill 875 and am convinced this bill provides a tremendous opportunity to obtain a vast amount of knowledge by conducting research on stray, unwanted animals. Research must and will continue on animals, but we should make sure that no one is hurt because their pets are involved. This bill will help curb the breeding and raising of animals for slaughter by unscrupulous individuals who raise their animals for research strictly for profit.

I endorse and request passage of Bill 875 because I believe in all types of research and further believe these animals, who would be eventually destroyed, will be used to provide information which will ensure additional successful operations on other victims of cancer, and other unconquered diseases. Passage of this bill may provide one rung on the ladder of the search for a positive cure for cancer.

SENATOR WALLWORK: Thank you very much, Mr. DeAngelo, and our best wishes to you.

MR. DeANGELO: Thank you very much.

SENATOR WALLWORK: Dr. Morris Solotorovsky?

M O R R I S S O L O T O R O V S K Y: I am Morris Solotorovsky, Ph.D., Professor of Bacteriology, Rutgers University, and I am here to testify in support of S-875.

Now the experts who have preceded me have martialed so imposing an array of detail in favor of the bill that I believe, despite the fact that I am a Professor, that I can content myself with being brief and give a general statement indicative of the position of the Rutgers Community.

New Jersey has a tradition and strong position as a center for research and development of drugs for therapeutic use. A Number of important therapeutic agents were discovered and developed in our State. At this time, too, facilities for medical education and hopefully the accompanying facilities for medical research also are being expanded. For these activities there is an increasing need for the various species of experimental animals including dogs. We must also remember that stricter criteria for efficacy and safety required by FDA for approval of new therapeutic agents will increase the need for study on experimental animals. It is my feeling, on the basis of careful examination, that Bill S-875 will improve the governmental provisions for the humane care of pets, decrease the dangers from stray animals and improve the resources for medical research in both human and animal health.

SENATOR WALLWORK: Doctor, I would like to ask just one question.

You referred to stricter criteria required by the FDA. What will be those more restrictive criteria?

DR. SOLOTOROVSKY: There will be requirements for extended chronic testing wherein species, such as dogs, will be very important. That^{is} to say, drugs that previously could be tested for relatively short periods of time - such things as carcinogenesis or chronic toxicity, now have to be done for a much longer period of time on larger numbers of animals.

SENATOR WALLWORK: What is the criteria generally today that's mandated by the federal government through the FDA on a drug before it could be marketed?

DR. SOLOTOROVSKY: Well, without being able to go into extensive details, one may have to carry through, let's say, a period extending as long as seven years, as I now recall. And in some cases one has to carry through actually a generation for possible effects on the next generation of animals born thereof.

SENATOR WALLWORK: And this is in the interest of public health.

DR. SOLOTOROVSKY: This is in the interest of public health but, of course, also increases the extent to which drugs have to be tested.

SENATOR WALLWORK: Were there any specific reasons for the Federal Government coming out with stricter controls?

DR. SOLOTOROVSKY: Yes, because some drugs have indeed - they've been brought to clinical use and were found to have undesirable effects that possibly could have been, let's say, observed if somewhat more prolonged testing had been required.

SENATOR WALLWORK: I presume that Rutgers, of course, - in your Department you have the necessary safeguards to meet the new federal standards that will be required?

DR. SOLOTOROVSKY: If called upon. As I have had experience working in pharmaceutical houses where these matters, let's say, are of greater concern, my concern at present is more toward the educational side although I do participate in the study of drugs submitted by the pharmaceutical organizations for extended testing.

SENATOR WALLWORK: I think I have no further questions. I appreciate your being here with us this afternoon.

DR. SOLOTOROVSKY: Thank you.

SENATOR WALLWORK: Dr. Tudor of Rutgers?

D R. D A V I D T U D O R: I am Dr. Tudor, a practicing veterinarian and I wish to speak as a private practitioner in support of Senate Bill No. 875.

This bill provides a much needed method of identifying stray pets. It enables adequate housing of lost pets until a reasonable effort has been made to notify the owner.

The bill further provides that such facilities be subject to inspection and regulation to insure humane treatment.

It also permits the use of rejected, unwanted,

unclaimed animals in regulated institutions of biomedical education and research, and this I strongly support.

It further assures that such animals will be given the best of care and attention.

I thus strongly support this bill and urge its passage.

SENATOR WALLWORK: You said you are a veterinarian, right?

DR. TUDOR: Yes, sir.

SENATOR WALLWORK: In your experience throughout our State, how would you deem the operation that we have so far as pounds and shelters and the care and handling of dogs in general, when we find a lost pet that goes into one of these pounds or shelters, - do we have a good program in New Jersey or could we improve it?

DR. TUDOR: It's my impression that it could be improved.

SENATOR WALLWORK: Along what lines?

DR. TUDOR: General care and welfare of the pets. As it stands now, there are many who complain that the animals are improperly cared for under the present situation.

SENATOR WALLWORK: Does this lead to the animals getting diseases in these pounds or shelters?

DR. TUDOR: Whenever animals are brought together it is inevitable that one animal can transmit disease to another. And even with the best of care, this is possible.

SENATOR WALLWORK: Well, do we now have in the State a veterinarian who oversees any of these shelters or pounds or do we not have a technician, so to speak, in charge of these pounds?

DR. TUDOR: I am not familiar with the regulation that's presently imposed on pounds at the present.

SENATOR WALLWORK: All right. I don't think I have any further questions. I appreciate your being here.

Is Dr. Wood here? (Not present)

Dr. Harrison?

DR. SUSSMAN: I have Dr. Harrison's statement.

SENATOR WALLWORK: All right. Well, I think we can file it. I don't think it will be necessary to read it.

DR. SUSSMAN: It's Dr. Attalla's statement.

SENATOR WALLWORK: All right. Well, I think we can file it. I don't think it will be necessary to read it. We will put that in the record. That is the statement of Dr. Attalla from the Woodbridge Division of Health. (See p. 85)

Is there anyone else here who desires to be heard?

L E O N A R D C. B L E S S I N G: I am Leonard Blessing, former President of the New Jersey Science Teachers Association and that is the organization I am speaking for.

The New Jersey Science Teachers Association wishes to support Senate 875 introduced on June 8, 1970 by Senator Wallwork.

Our position is that in order to continue to improve the health of humans and all other organisms it is important to be able to do necessary and desirable experimentation upon animals.

As a science organization, we believe that pharmaceutical, medical and other related researchers need animals to do the research. We endorse the use of unwanted, unclaimed animals for which a home cannot be found for medical research and science education. Thus the excellent proviso of tattoo and registration is a commendable amendment. The lengthened holding period is a great improvement. The specific mention of testing institutions using unclaimed animals for the conduct of scientific experimentation makes it clear that these animals can be used for scientific purposes.

As an education organization we know the need of the use of animals to promote the learning and technique needed by future science researchers. While we do not foresee the use of dogs in high schools, but we do not remove it completely, it may be very important in colleges and universities, especially medical institutions. In 1966 we, the New Jersey Science Teachers Association, were

co-defendants in a case involving the New Jersey Society for Prevention of Cruelty to Animals vs. the Board of Education of East Orange, tried in the Essex County Court. The case was commonly known as "The Chicken Case."

In this case the Society for the Prevention of Cruelty to Animals claims the East Orange Board of Education should not have allowed a high school student to carry on a scientific study of cancer in chicken. After a lengthy hearing that lasted two weeks the Judge decided in favor of the East Orange Board of Education and the New Jersey Science Teachers Association saying that the decision places "an awesome responsibility in the hands of the teacher, but then again the minds of our children are also placed in his hands."

In lieu of the continuous and unsubstantiated reports of petnapping, the New Jersey Science Teachers Association feels that the proposed bill will clarify and solidify the need for animals in educational and research institutions and at the same time recognizes that humane securing and treatment of these animals is necessary.

SENATOR WALLWORK: All right. Thank you, Mr. Blessing.

I think it would be pretty safe to say that in the program here in New Jersey on animal research or experimentation that, because of federal statutes, in the control of dogs and cats, for instance, that this would have to be done in a controlled atmosphere such as we would find at the College of Medicine and Dentistry or a regular laboratory.

MR. BLESSING: For animals like dogs and cats, I agree.

SENATOR WALLWORK: Yes. Well, I am certainly happy that you are here today. And for the benefit of those in the audience, Mr. Blessing won a national award, having been recognized as one of five or six teachers, I believe, in the country as one of the outstanding science teachers in the secondary schools throughout the country. So I

certainly applaud you again on this fine effort.

MR. BLESSING: Thank you very much, Senator.

SENATOR WALLWORK: Thank you for coming.

Dr. Yager. Will you give your full name and your affiliation, sir?

J. A L L E N Y A G E R: My name is J. Allen Yager. I am a physician, licensed to practice medicine in the State of New Jersey. I am Health Officer and the Director of the Department of Health in the City of Paterson, New Jersey, and have held this position for the past ten years. I am Chairman of the Urban Health Task Force of the New Jersey Regional Medical Program. I am an Assistant Clinical Professor in the Department of Community Medicine at the Mt. Sinai School of Medicine of the City University of New York. I was formerly a member of the faculty of the New York University School of Medicine and the Albert Einstein College of Medicine.

I appear at this public hearing for the purpose of urging, on professional grounds, the passage of ~~Senate~~ Bill No. 875. Modern advances in medical science make it apparent that such refinements of our scientific knowledge are wholly dependent upon the proper use of animal experimentation, by accredited medical schools and research agencies, under controlled conditions. One cannot ever hope to discover the causes of cancer, diabetes, heart diseases, and many other human medical problems, without the benefit of animal research and testing.

The State of New Jersey would be seriously remiss in its public obligations, if it could not make its contribution to the sum total of such scientific knowledge. It does, indeed, seem strange that in our period of scientific research and discovery that this concept should require urging in a public forum and on any score.

There are tremendous needs for the prevention and treatment of human ailments, unmet needs, and for more effective systems for the delivery of health care services.

The shortage of professional manpower constitutes a serious threat to our national wellbeing. Only by making existing professional services more effective in their human application can we hope to meet the growing demand for needed medical services. The passage of S-875 would be an important step in this direction. Its failure to be enacted into law would be a serious obstacle.

In addition to its professional values, the Bill is properly designed to protect the dog owner and those who truly love animals. Its registration provisions will enable owners to locate and identify lost or strayed animals more effectively.

In addition, the rabies immunization program will permit more dogs to be immunized more fully, and thereby protect the numerous victims of dog bites throughout the State.

I respectfully urge the passage of this Bill.

SENATOR WALLWORK: Thank you, Dr. Yager.

Let me ask one question on the development of training in medical schools of new doctors. If they didn't have the necessary animals available to them, how much of a period would it stretch out, to require them to be indoctrinated in good medical techniques, in your opinion?

DR. YAGER: Senator Wallwork, it would increase it considerably in time but it might sound like an exaggeration but it really isn't to say that it almost cannot be done without the experience the medical student gets in the result of his animal experimentation and laboratory training. It's an essential for him to have this experience before he can apply the knowledge to humans as patients.

SENATOR WALLWORK: What are the types of things that the new doctor as the trainee must have in medical school?

DR. YAGER: I taught physiology at a medical school and I can say from personal experience that it would be almost impossible to train a student in, for example, the function of the heart and circulation from textbooks alone,

if he were not able to actually observe and under proper and controlled conditions conduct his studies in the laboratory with the use of the living animal.

SENATOR WALLWORK: And all of these experiments or studies are done in a humane manner, are they not?

DR. YAGER: Very much so. And the controls are those that any normal person would want to apply. I have been in many laboratories and really never have witnessed the use of animals where proper controls were not applied.

SENATOR WALLWORK: Thank you very much, Dr. Yager.

DR. YAGER: You're welcome, Senator.

SENATOR WALLWORK: Dr. Manziano?

C L A R E N C E F. M A N Z I A N O: Senator Wallwork, my name is Clarence F. Manziano. I am a veterinarian practicing in Jersey City, and am also President of the New Jersey Society for Medical Education and Research. This organization has a membership of science teachers and professors, physicians, veterinarians, nurses and others in allied medical professions, and citizens in all walks of life who are deeply concerned that misstatements and misunderstandings about animal experimentation will erode this cornerstone on which all education and research in the biomedical sciences is based, with a consequent threat to the health, well-being and even life of man and animals alike.

The Society is wholly in support of Senate Bill 875, as I am personally. We believe that additional legislation is necessary to clarify fully our State's position relative to the care and control of domestic animals so that the achievement of certain key objectives in this field may be completed. These objectives are:

First, to safeguard the public health, as the Rabies Control Act seeks to do;

Second, to protect animals from cruel and inhumane treatment and assure adequate standards of animal care;

Third, to maintain a climate favorable to continued progress in medical education and research for the greater well-being of both humans and animals; and

Fourth, to protect our citizens insofar as possible from the loss of family pets, by taking steps to expedite the return of lost animals to their owners, to discourage petnapping, and to limit the profitability of sales of animals by pounds and shelters.

Legislation already exists in these areas, some of which has proved over the years to be effective in meeting specific objectives. For example, the Rabies Control Act, enacted in 1941, has brought about a decline in rabies from a high of 679 cases in dogs and four in humans in 1939 to no cases at all in dogs and cats for the past 11 years and no cases in humans since 1949. This law, as administered by the State Department of Health, would seem to be wholly adequate.

To protect animals, the State has an anti-cruelty statute that would seem to be adequate, but it is not clear that all standards of animal care as set forth by statute are presently being met in the State. Of the more than 560 municipalities and communities with dog warden services, 85 have local government operated pounds, 325 use private pound facilities on contract, 41 use veterinary hospitals as pounds on contract, and 110 use the "shelter" facilities of privately supported organizations, some on contract. In some of these varied centers for the confinement of stray animals, overcrowding, inadequate staff and facilities, and indifferent care have produced conditions of excessive morbidity, malnutrition, danger and discomfort in violation of the existing anti-cruelty statute. It is necessary to eliminate such abuses in whatever type of animal confinement center they may occur.

There is no doubt that petowners in New Jersey need more concrete assurance that an effective mechanism exists for prompt location and safe return of lost or stolen pets. A fundamental step is establishment of a voluntary permanent identification system and a centralized agency to maintain records and serve as a clearing house for information and identification. While there is little documentation on the prevalence of petnapping or on the eventual disposition of

stolen animals, permanent identification would serve to discourage this practice.

It is both necessary and appropriate that legislation such as S.875 be proposed in New Jersey, with its many research laboratories and its embryonic medical education system. Recently, the New Jersey College of Medicine and Dentistry and the new Rutgers University College of Medicine were placed under a joint board of trustees in the expectation that the greater number of physicians needed in the state could thus be educated. Undoubtedly more animals will be needed as teaching models under this program, and animals who would otherwise be put to death in pounds and shelters can serve this useful purpose.

While New Jersey has no college of veterinary medicine, a number of veterinarians in the state conduct individual research and clinical investigation which demand live experimental animals. Obviously, pound animals are needed in this work; it would be morally indefensible for a veterinarian to conduct clinical research on the pets of his clients. In addition, it would be a rare veterinarian who would venture to perform on a client's pet a surgical procedure that he had not perfected beforehand on unwanted, unclaimed pound animals. Again, there is an excellent rationale for a provision dealing with the release of pound animals for experimentation.

I feel strongly about this matter as do my fellow veterinarians in New Jersey. We believe that a pet owner has a right to expect the best in proven animal care when he brings his pet to us for help. For his benefit, we should employ the techniques and administer the medicines whose effectiveness has been firmly established by means of research on laboratory animals, not family pets. The pet owner should have the assurance that his pet does not become, in the process of receiving medical care, an experimental animal itself. It is ironic that the campaign of fear that tells pet owners their pets may wind up in a laboratory if pound animals are made available for experimentation would, if successful, turn nearly every pet in need of medical care into an experimental animal because prior research on other live animals would be virtually impossible.

I did want to make some remarks about the East Orange Chicken Case. That has already been taken up by others and I would like to close by saying that Senate Bill 875 covers necessary ground that has not been found in other bills. It should have broad appeal to all concerned citizens, with the possible exception of those who oppose any animal experimentation at all. We believe S-875 should be enacted into law, and will be if enough people hear about it, understand its objectives, and voice their support for it.

SENATOR WALLWORK: One question, Doctor. You referred here to excessive morbidity and malnutrition and so forth in certain stray animals. What specifically do you mean by that?

DR. MANZIANO: In 1968 we conducted a viral mortality survey on animals from all facilities with the exception of research facilities because these animals came from licensed dealers, dealers licensed by the federal government. And we were able to demonstrate that certain outlets had a much higher morbidity and mortality rate than others. For instance, we did a survey on a chain store concern that had a morbidity rate of 80% and a mortality rate of over 33%. Now in many of these instances seven out of ten dogs that left these facilities within a ten week period were dead from the time they left the facility.

SENATOR WALLWORK: These were people buying animals?

DR. MANZIANO: Some were buying dogs, some were obtaining them from shelters, and others were getting them from pounds. Now, specifically in one area, with many of the so-called non-profit organizations we were able to demonstrate that six out of ten dogs that they gave for a home for a fee but under the law a shelter should give up a dog without a fee or can give it up for a donation - six out of ten of these dogs were dead within six to ten weeks from the time they left the shelter. This work is now being documented. The report itself was not based upon a clinical examination alone but based upon the fact that

we were able to isolate the distemper virus from the animals that were first seen before the ten weeks period and then treated, and many of these died.

SENATOR WALLWORK: How many dogs - when you say six out of ten, how many dogs were in this?

DR. MANZIANO: There were approximately 3,000 dogs in that particular study.

SENATOR WALLWORK: All in New Jersey?

DR. MANZIANO: Northern New Jersey, just one section. That is all we had time for.

SENATOR WALLWORK: Does this create a public health hazard for people to take a dog like this into their homes?

DR. MANZIANO: Only if the dog is involved with diseases that are transmissible from animal to man.

SENATOR WALLWORK: Well, what type of diseases?

DR. MANZIANO: Well, at that particular time we were concerned with canine distemper which is reputed to have the highest mortality in pound animals and also in kennels. But in the survey we did find dogs with ringworm, which is contagious to man, others with a form of scabies that man can contract. And those were the primary diseases that would be communicable to man. This type of dog not properly supervised would be a public health hazard.

SENATOR WALLWORK: So, in other words, of the 3,000 dogs that you did a survey on, did you say 80% --

DR. MANZIANO: No. Of the 3,000 dogs that we did the survey on, a certain percentage came from humane societies, a certain percentage came from private sources, a certain percentage came from regular pet shops, and a certain percentage came from breeders. Now the breeders and the regular pet shops had a mortality rate of approximately 3.5. There were some that were lower. And the humane society mortality rate was approximately 33%. Then there were some chain store outlets that had a 33% mortality rate.

SENATOR WALLWORK: In other words, what you're

saying is that we don't have the necessary regulations to make sure that before a dog is sold commercially or given away for a donation that that dog is in good health.

DR. MANZIANO: Well, I think the only way this could be controlled, just speaking as a public health veterinarian, is you would have to control the facilities because I don't think it would be physically possible for a veterinarian to examine each and every animal. But I do think that a pound operator would have sufficient knowledge to know whether or not this dog is sick and if there is any doubt in his mind then he would refer the case to a veterinarian, before he would pass this dog on to an unsuspecting dog owner he would make sure it was checked out, make sure the disease the dog had was not contagious to humans and make sure the disease the dog had was not fatal.

SENATOR WALLWORK: What concerns me is someone getting a puppy or a dog and going into the family and then little children playing with the dog could come down with an illness or a disease.

DR. MANZIANO: Well, there is always this possibility.

SENATOR WALLWORK: How can we prevent that or at least reduce it to a minimum?

DR. MANZIANO: I think the only way we can do this is by making all animal facilities conform with regulations which might be almost equal to those of the federal government, because in New Jersey I don't know of any research facility that would accept a dog unless it was from a licensed dealer, I mean that would be one of the stipulations in order to be accredited say by ALAS.

SENATOR WALLWORK: All right. Thank you very much.

DR. MANZIANO: Thank you.

SENATOR WALLWORK: Is there anyone else? I think we have heard from everybody who is here.

I have a statement here, and a letter, from Mr. Fred L. Stevenson, President of The Humane Society of the United States, the New Jersey Branch, which we will incorporate in

the record. (See p. 89)

I also have a letter from the National Society for Medical Research, which we will incorporate in the record. (See p. 93)

I would like the record to show that I did invite the people from the National Catholic Humane Society, a lay society in New York City, to appear before the public hearing today if they so desired, and I got no response. I am deeply sorry that they have not seen fit to be here this afternoon with us because this Society precipitated ads throughout newspapers in New Jersey completely distorting Senate Bill 875, and I am sorry that they were not here to give us the benefit of their observations.

There being no further witnesses, I declare this hearing closed.

(Hearing concluded)

AMERICAN CYANAMID COMPANY
POST OFFICE BOX 400
PRINCETON, N. J. 08540

December 15, 1970

The Honorable James H. Wallwork
120 North 11th Street
Newark, New Jersey 07107

Dear Senator Wallwork:

I am writing both as a company official and as a private citizen about my concern over some attempts by uninformed or misinformed members of various well organized groups who desire to end all research involving animals. Obviously, you and I and all of society would be the losers if the distorted and highly inaccurate advertisements, letters and public statements of these organizations are successful in prohibiting animal experimentation.

Animal research conducted in New Jersey by major pharmaceutical firms has led to the development of many drugs which prevent or cure diseases which previously have plagued domestic pets such as cats and dogs, and food-producing animals, including dairy cows, cattle, poultry, swine and sheep. Animals are not the only beneficiaries of these developments, for all of us gain from the lower cost and higher quality of meats and from the enjoyment of healthy pets that result from the use of these medicines.

As General Manager of the Agricultural Division of American Cyanamid Company, I am responsible for the conduct of all agricultural research activities including animal research. I assure you that all experimental animals are treated humanely. They are under the constant supervision of professional veterinarians and probably receive better care than most household pets.

Aside from humanitarian considerations, mistreatment of research animals is economic foolishness. Animal research is expensive, and mistreatment of the animals involved could mean unreliable and unacceptable research results, and wasted animals, time and dollars.

Animal research is carried on for one of two reasons: to develop products to improve the health and welfare of humans or of animals themselves; or, pursuant to extensive Regulations of the Federal Food and Drug Administration, to protect humans and animals from adverse or untoward effects of such products.

In my official capacity and as a private citizen, I am strongly opposed to inhumane treatment of any animal and have always supported regulations designed to eliminate abuses. Our facilities meet and generally exceed federal and state requirements for care and handling of animals, and have routinely passed every inspection.

Members of the New Jersey Humane Society, who have visited our Agricultural Center, have been most impressed with the quality of animal care. We extend an invitation to you and other members of the legislature to visit us and inspect our operations; we would hope to reassure

December 15, 1970

you that animal research in our laboratories is not evil, vicious or inhumane but absolutely essential to our mutual goals of alleviating or eliminating all animal illnesses.

I firmly believe that animal experimentation and testing are necessary for the public welfare. It behooves all of us who are genuinely concerned about the health and safety of both humans and animals to commend you for the objective manner in which your proposed legislation is written.

Passage of S 875 assures that animal research can be continued in a responsible and reasonable manner while providing the necessary protection for family pets.

Very truly yours,


J. G. Affleck
General Manager
Agricultural Division

JGA:mc

STATEMENT OF: DR. ANTOINE T. ATTALLA - WOODBRIDGE DIV. OF HEALTH

Senator Wallwork, Members of the Senate, Ladies and Gentlemen:-

A Senate bill faces you today, which you have been asked to pass or veto, a bill containing certain essential elements, which will allow the judicious use of animals in medical research and experimentation; a bill, which hopefully, will allow the continuation of experimental use of animals towards the achievement of needed medical advancements, to eradicate, alleviate, and prevent diseases plaguing mankind.

Were it not for the adherence of constituents of this bill by men of medicine and science, many life-saving advancements would never have been realized in the past.

Every surgical procedure, from a simple appendectomy to a major Craniotomy, was first performed on animals. Every major vaccine was first studied and given to animals prior to being given to man. The greater majority of all drugs of our pharmacopeia, whether they be antibiotics, tranquillizers, vitamins, cancer drugs, etc., were all first studied in animals to evaluate their efficacy, as well as any deleterious side effects.

Most recently, some of our greatest scientists, working with N.A.S.A. recognized the great need for animal medical research by sending monkeys into orbit prior to our astronauts.

Is it not ironic that never has a bill been presented to any legislative branch, condemning the use of animals to provide food for our healthy population, and yet, so often, people attempt to prevent the use of animals to provide a way of well-being to our diseased population?

Is it not in complete adherence to God's Biblical direction in Genesis, that man is to utilize, according to sound, moral ethics, all which God has created to man's ultimate good?

Is it not shameful that almost no major surgical achievement has come out of England since 1876, when an irrational, irate woman, representing the Humane Society, convinced Parliament to pass an Anti-vivisection bill, which is still in force today?

The eminent heart surgeon, Christian Barnard, has stated most emphatically, that were it not for his ability to perform medical research on animals, cardiac transplants in human beings would never have become a reality. Were it just for this major surgical achievement alone, the case for continuation of animal medical research would be well-founded. But this major accomplishment encompasses but a small percent of major medical and scientific advancements, which owe their success to initial animal experimentation.

Drs. Enders, Salk, and Sabin, all experimented with the polio vaccine on animals, and as a result, polio cases in the United States alone, diminished from 51,000 cases in 1952, to less than 100 cases in 1969. This type of success story has been repeated over and over again with diseases, such as, Smallpox, Tetanus, Diphtheria, Whooping Cough, Measles, Mumps, Cholera, Typhoid, etc. Tuberculosis deaths diminished from 388,000 in 1900 to less than 16,000 in the past ten years. For the same period of time Typhoid deaths diminished from 64,000 to 0, Diphtheria from 80,000 to 200, Influenza and Pneumonia, from 404,000 to 56,000, to name a few. Prior to the discovery of Influenza vaccine, 1,770,000 influenza deaths occurred in the U.S.A. in 1918. Since the discovery of this vaccine, much of which was

dependent on animal experimentation, as well as using animal tissues to extract the vaccine, this mortality figure diminished to 2,830 in 1966. All of these major vaccine and antibiotic discoveries were first evaluated through animal experimentation. If animal experimentation were prohibited, we would, today, be living in constant fear of micro organisms, which plagued our ancestors.

If we pay homage to our great scientists by giving them recognition through Nobel Prizes and mention in our history books, must we not also have confidence in their words of wisdom, when they emphasize the importance to mankind of animal experimentation? The following is but a brief list of these renowned men of science, who have advocated animal medical experimentation: Charles Darwin, Thomas Huxley, Michael DeBakey, Louis Pasteur, Joseph Lister.

It must be emphasized that there are a number of poorly informed, sincere individuals against animal experimentation; theirs is an error of judgement, and they must be educated. Thousands more, however are against animal medical experimentation solely because of financial reasons. Theirs is not an error of judgement, but an immoral act of the will, and they cannot be educated, but all their efforts must be thwarted, for these individuals are willing to sacrifice the lives of millions, purely for selfish financial gains.

Ladies and Gentlemen of the Senate, Never before in the history of these chambers, has an esteemed body of man, such as yourselves, been asked to make a more far reaching decision. Your choice will decide whether medicine in New Jersey will continue to progress in preventing disease and alleviating suffering, or will come to a standstill. You must be assured that if the latter occurs, you will

have played an active role in the cessation of medical advancements.

The future of medicine and science in the State of New Jersey,
and possibly, throughout the Nation, lies in your hands.



THE HUMANE SOCIETY OF THE UNITED STATES

NEW JERSEY BRANCH, INC. 1140 EAST JERSEY STREET ELIZABETH, N.J. 07201 PHONE: 201-351-2475

Officers and Directors

FRED L. STEVENSON, President
Green Brook

CHARLES I. CLAUSING, Vice President
Marlton

MISS SERENNE L. EVERITT, Treasurer,
Montclair

MRS. THOMAS S. MAXWELL, Secretary
Oradell

RUSSELL T. CUSTER
Ramsey

RICHARD P. DYCKMAN
Plainfield

ROBERT C. HALLE
Perrineville

MRS. EDWARD KRUPP
Teaneck

MRS. R. STUYVESANT PIERREPONT
Princeton

A. MICHAEL RUBIN
Wayne

E. CLINTON KURSHILDGEN,
Executive Director
Westwood

Advisory Board

C. DOUGLAS DILLON
MRS. WALTER EDGE
WEBSTER B. TODD
MRS. JOHN KEAN
THOMAS K. FRELINGHUYSEN
MRS. HENDON CHUBB
JOHN deC. BLONDEL
DONALD MACKEY
MRS. R. STUYVESANT PIERREPONT
CHARLES W. ENGELHARD
MISS MARGOT ROEBLING
REEVE SCHLEY
MRS. PAUL MOORE

December 15, 1970

The Honorable James H. Wallwork
94 Canoe Brook Road
Short Hills, N. J. 07078

Dear Senator Wallwork:

On behalf of our statewide membership, chapters, and affiliated societies in New Jersey, we want to register our opposition to S-875 in its present form. In our opinion, the animal control in New Jersey should not be confused by legalizing release of pound animals to research facilities. Our experience is that such provisions in state and local laws break down animal control programs and cause public disaffection.

My letter of November 24, 1970 lists the features we believe are sorely needed in New Jersey. A copy of that letter is attached.

Sincerely,

Fred L. Stevenson
President

FLS:md
Enclosure

November 24, 1970

The Honorable James H. Wallwork
94 Canoe Brook Road
Short Hills, N. J. 07078

Dear Senator Wallwork:

Periodically we have discussed features which should be included in any legislation intended to modernize New Jersey animal regulation laws. As you know, our Society believes S-841 provides these features.

S-841 is the product of more than six years' work. In the process of formulating the bill, our Society consulted the most knowledgeable people we could locate: The U. S. Animal Health Association, The Humane Society of the U. S., the American Humane Association, the New Jersey Veterinary Medical Association, the New Jersey Dog Federation, the New Jersey Bureau of Consumer Protection, the New Jersey State Commission on Investigations, and many other organizations and individuals.

S-841 amends rather than replaces the present law. This is partly due to Oscar Sussman insistence on an amending bill -- we thought we would, by amending, take away Sussman's last excuse for State inaction.

Attached is a list of features which are needed now. They are, with one exception, already in S-841. Some are in S-875.

Should you and your Committee or the Conference need further information or consultation, we will be pleased to furnish it.

Sincerely,



Fred L. Stevenson
President

FLS:md

Features which must be included in corrective animal welfare legislation

Revision bill should be called "Pet Owner's Protection Act of 1971."

Focus and orientation of the present law and regulations is sanitation; operating methods of kennels, pet shops, shelters, and pounds are all but ignored. As a consequence:

The unscrupulous commercial dog warden has proliferated in New Jersey;

The rights of owners of impounded pets are constantly interfered with;

Pet-owning citizens are disenchanted with the commercial dog warden;

Puppy-mill pet shops have proliferated and operate essentially unregulated;

Pet theft continues to be a serious problem;

Surplus breeding is an increasing problem;

Conditions in many pounds continue to be deplorable.

The primary principle which must be embodied in any modernizing legislation is as follows:

Pet animals do leave their owners' premises, often despite great care being taken to preclude this. When animals stray, owners have a right to expect that in return for payment of a license fee: the animal will be seized by a competent municipal warden, transported safely in a clean vehicle to the municipal impounding facility, impounded in a clean and safe facility after appropriate records are made, and provided adequate shelter and care -- including veterinarian care if necessary -- during the required impound period. Further, pet owners have a right to expect that circumstances will be such as to facilitate the redemption of the impounded animal.

In those cases when a citizen seizes a stray, the municipal impounding facility should have a reputation for integrity and efficiency in re-uniting lost animals with owners or in finding new homes for unclaimed animals.

Specific features needed

1. The theft of pet animals should be declared to be larceny.
2. There should be a prohibition of leaving poisonous substances where dogs and cats can get them.
3. "Dumping" or otherwise abandoning animals should be prohibited.
4. There should be a range of alternatives provided for owners who permit animals to run at large. Municipal agents should have options ranging from issuing a warning to serving a summons.
5. Municipal wardens should be hired only on the basis of a written contract with the municipality.

6. Municipal agents should be paid only a flat monthly or weekly rate, and should be prohibited from sharing in any funds derived from redemptions, adoptions, or any other disposition.
7. It should be required that all municipal agents be licensed by the State, and that all owners of more than 1% of the warden service be identified on the license application.
8. The law should require an inspection prior to issuance of a license to a pet shop, shelter, kennel, or pound. At least one additional inspection should be required at unannounced times.
9. The law should require that pounds and shelters keep records sufficient to enable audits of transactions.
10. The minimum number of hours pounds must be kept open should be changed to require that pounds be open a minimum of 4 hours per day and a minimum of 5 days per week.
11. Controls on pounds should be generally increased to facilitate redemption of impounded animals by owners.
12. The State Department of Health should be required to expand its Regulations beyond sanitary standards to include operational standards, e.g. euthanasia equipment and procedures, humane handling and care, veterinary care, etc.
13. Municipal agents should be prohibited from participating in any gift or sale or negotiation for gift or sale of any impounded, unclaimed animal to any person other than an individual who wishes to "adopt" such animal.
14. Penalties for non-compliance with the law and Regulations must be greatly increased: Dollar fines must be increased; provision must be made for suspension and/or revocation of licenses; fines and license revocation must be made applicable to more sections of the law and Regulations.
15. Maximum allowable dog license fees, maintenance charges, and redemption fees must be increased.
16. License fees for unspayed female dogs must be increased to provide financial incentive for spaying. This is critical to population control.
17. The law must specifically state that pound seizure is not authorized. This will go far to correct the damage done by State authorities who have promoted pound seizure and thus caused widespread mistrust.
18. The licensing provisions must take into account the serious problem of the puppy-mill pet shops which have proliferated in New Jersey. An absolute minimum is a requirement that pet shops importing animals from other States have special licenses.
19. All municipalities must be required to have an animal regulation program for the protection of all residents.

20. The present law should be changed to require that dog license fees be used exclusively for animal welfare programs. At present, there is an incentive for municipalities to do a minimal job because surplus funds go eventually to the municipality's general fund.
21. Many definitions of terms must be added. It is especially important that care be taken to preclude commercial wardens from being treated as non-profit humane societies.
22. The State Department of Health must be spurred into more aggressive administration and enforcement of the law. This can be accomplished by specifying the Department's responsibilities.

All the above listed items, except item 20, are included in S-841; several are included in S-875.

Summary

The State Department of Health has not done an adequate job of enforcing the present weak law and keeping it up to date. Indeed, the Department has preferred instead to continue its clear preoccupation with protecting the interests of laboratories, animal dealers, and commercial dog wardens. As a result, a vast segment of the public mistrusts the entire animal regulation system -- and with good reason.

Correcting this deplorable situation will not be easy. No single piece of legislation will restore integrity to animal regulation matters. But we must press for the best, most comprehensive legislation possible.

The State Department of Health and the laboratory animal dealer interests have caused the problem. They must not be permitted to postpone corrective measures by invoking the same tired, inaccurate, misleading generalizations as in the past.

There is a rapidly-growing public impatience with those who resist measures which would rid society of the unscrupulous commercial wardens and dealers. During the past year alone, I have seen a decided change in the tone of inquiries I receive about legislative action. People used to express hope that there would be progress, now they are demanding legislative action. They now will settle for nothing less than a law which will drive out the unscrupulous.

I strongly believe the above specific features are needed, and if enacted will correct many of the problems which now exist.

Fred L. Stevenson, President
The Humane Society of the U. S.
New Jersey Branch, Inc.
1140 East Jersey Street
Elizabeth, N. J. 07201

November 24, 1970

NATIONAL SOCIETY FOR MEDICAL RESEARCH

1330 Massachusetts Avenue, N. W.

Phone: (Area Code) 202 - 347 - 9565

PRESIDENT

Maurice B. Visscher, M.D.
Minneapolis, Minn.

Washington, D. C. 20005

November 24, 1970

VICE PRESIDENTS

Hugh H. Hussey, M.D.
Chicago, Ill.

Luther Terry, M.D.
Philadelphia, Pa.

SECRETARY-TREASURER
Bernard Zimmermann, M.D.
Morgantown, W. Va.

DIRECTORS
H. Stanley Bennett, M.D.
Chapel Hill, N.C.

Clarence Dennis, M.D.
Brooklyn, N.Y.

Harold Hillenbrand, D.D.S.
Chicago, Ill.

Brian Hoffman, M.D.
New York, N.Y.

Sigmund Rich, D.V.M.
Los Angeles, Calif.

Norman E. Shumway, M.D.
Palo Alto, Calif.

Emanuel Suter, M.D.
Gainesville, Fla.

Isaac M. Taylor, M.D.
Chapel Hill, N.C.

EXECUTIVE DIRECTOR
H. E. Kingman, Jr., D.V.M.
Washington, D.C.

The Honorable James H. Wallwork
The State Senate
State House
Trenton, New Jersey 08625

Dear Senator Wallwork:

Our Society has learned of the public hearings which will be held Wednesday, December 16, 1970, to receive comments with respect to New Jersey Senate Bill 875.

With your kind indulgence, I would like to inform you of our full endorsement of this bill, which we understand you authored, and to comment specifically on several sections especially important to continued progress in biomedical research.

In this enlightened age one might feel it to be unnecessary to enact a statute confirming that proper use of experimental animals is essential to the development and furtherance of medical and scientific research and thus to the public welfare. This fact, however, is occasionally challenged and we applaud you in your efforts to have this further established and documented through the enactment of your bill.

It is also in the public interest to have owners of pet animals adequately protected against loss of their animals and to afford them an opportunity to recover an animal that has been impounded for one reason or another. As I read Bill S.875, it would appear that the safeguards provided to owners of lost animals are adequate, and if fully understood by pet owners, recovery of wanted animals would be assured.

Some criticism has been leveled at Dog Wardens in the past who may have found it profitable to operate a clandestine market for dogs and cats. We abhor such a practice and are pleased to note that Senate Bill 875 would prevent this.

Incidentally, an extension of Public Law 89-544 is presently being considered by the Congress which, when enacted, will place additional research facilities under Federal registration. This legislation dovetails well with S.875 and will give added assurance to the residents of New Jersey that all research animals are cared for humanely during their stay in the laboratory.

If you feel it to be appropriate, I would appreciate having you file this letter with the Hearing Panel when S.875 is being discussed.

Thank you for your continuing interest in our behalf.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'H. E. Kingman, Jr.', with a stylized flourish at the end.

H. E. Kingman, Jr., D.V.M.
Executive Director

STATEMENT AT PUBLIC HEARING ON N. J. SENATE BILL 875

December 16, 1970

I am Dr. Tavis M. Goldhaft of Vineland, New Jersey. I am the President of the New Jersey Academy of Veterinary Medicine and Surgery. At a meeting of our Academy on Wednesday, December 2, the membership requested that I speak in their behalf with regard to Senate Bill 875.

We feel that the most noteworthy provision of the Act is that portion which provides that the State Department of Health will prepare a permanent registry system for dogs based on tattoo principle which will be available to any dog owner paying a modest fee. Such a procedure would provide the owner with a method of permanent identification. Before a tattooed animal could be sold by a dealer or destroyed by a municipal agent, the owner would have to be located and given an opportunity to obtain his animal.

The Act also recognizes as the public policy in the State of New Jersey that the use of animals for research and teaching in fields of public health is necessary to development of medical and scientific research and thus to the public welfare and that the Legislature approves of using experimental animals in such research in properly conducted and regulated institutions, with the Act providing that the State Department of Health will promulgate rules and regulations governing the registration of dealers and testing institutions. Since the bulk of dealers and testing institutions are already subject to Federal jurisdiction and regulation, the Act provides that the standards administered by State Department of Health shall be substantially identical to those promulgated by Federal authorities.

The New Jersey Academy of Veterinary Medicine and Surgery agrees wholeheartedly with these proposals and supports this bill because it will be an effective way of identifying animals and regulating their use. The State of New Jersey has many medical and scientific research institutions and a large percentage of the pharmaceutical industry in our country have major plants within our State. We believe that research on animals is absolutely necessary and the New Jersey Academy of Veterinary Medicine and Surgery believes Senate Bill 875 will go a long way to clear up the muddled waters in this area of animal control and use.

HOFFMANN-LA ROCHE INC.

NEW JERSEY • NEW YORK • CHICAGO

December 16, 1970

HAND DELIVERED

The Honorable James H. Wallwork
120 North 11th Street
Newark, New Jersey 07107

Dear Senator Wallwork:

On behalf of Hoffmann-La Roche, I would appreciate the opportunity to submit this statement on New Jersey Senate Bill 875 now pending before the New Jersey Legislature. Original research has been the keystone of Roche through its history and will continue to be the building block of its future. Hoffmann-La Roche is a manufacturer of a wide variety of pharmaceuticals, health products and fine chemicals with a broad research program. It has produced significant pharmaceutical breakthroughs, such as isoniazid, an important medicine in the treatment of tuberculosis. Roche sulfonamides have played a vital role in combatting bacterial infections. Roche tranquilizers are primary weapons in the physician's fight against anxiety and stress. An example of our current effort is an extensive research, development and production program which made levodopa available for the treatment of Parkinson's Disease and syndrome. These are just a few examples of the productivity of Roche research.

Hoffmann-La Roche endorses and supports S.B. 875 precisely because the bill clearly states it is public policy in New Jersey that "experimentation and testing in the field of public health are necessary to the development of medical and scientific research and thus to the public welfare." (Section 14) All research oriented companies in New Jersey should support the legislative understanding of "the importance of using experimental animals in such research" (Section 14) and the approval of "the use of all species of animals in experimentation within the state in properly conducted and regulated institutions." (Section 14)

Roche strongly supports the concept that a method should be developed to eliminate the possibility that pets would be

The Honorable James H. Wallwork - 2 -

December 16, 1970

used by research institutions. S.B. 875 has provisions within it which protect pet owners. Roche, in fact, does not use pound animals. However, it is a self-evident truth that as researchers battle new and old diseases, the use of laboratory animals becomes increasingly more essential. Some recent projects graphically underscore this need.

Scientists at the University of Notre Dame are measuring the effects of biological, chemical, and physical agents found in the environment upon tissue deterioration in laboratory rats. Reportedly these environmental factors are being linked with many lesions and tumors associated with the aging process. Similar hallmarks of aging are appearing in conventional laboratory rats, but no degenerative changes have yet appeared in germ-free rats not exposed to the environment. These researchers hope to show that many changes now associated with aging actually may be due to the organism's life-long exposure to the outside world.

A new lifetime hearing aid is currently under study with guinea pigs at a Far West medical school. Ten years may be needed before a system can be developed through continued laboratory animal trials to make sure this device does not injure the human ear.

A new rabies vaccine has shown dramatic success in a number of different laboratory animals, including monkeys, perhaps opening the door for protection of humans before and after exposure to rabies. Heretofore, humans infected by rabid animals had to undergo a painful treatment lasting for as long as two weeks. Present rabies vaccines, which many scientists believe are outdated, are made from the tissue of animal brains or bird embryos infected with viruses. The new vaccine, which can be produced from rabies viruses multiplying in animals' tissues inside test tubes, is very pure and speeds the production of antibodies which fight the infection.

California scientists have been working for 2 1/2 years to isolate viruses suspected of causing some types of cancer in humans. A small amount of cancerous human tissue is injected in fetal kittens through the uterine wall of female cats. The unborn kittens serve as virgin hosts for the injected

The Honorable James H. Wallwork - 3 -

December 16, 1970

cells since embryos are protected from disease by the female cats' antibodies, and the researchers can study the viruses as the cancer spreads.

The December issue of Newsweek magazine said that this particular project described above is "highly regarded by other cancer researchers and is thought to be on the verge of a significant breakthrough in the struggle against the disease." Nevertheless, because of an antivivisectionist law recently enacted in California, this project and others--such as continuing neurological studies--are gravely threatened. The concern of scientists is described by Newsweek:

But now (Dr. Murray) Gardner's experiments--and a number of other important research projects in California--are in serious jeopardy because of a new state law pushed by the antivivisectionist lobby that will cut off the supply of cats...To appalled researchers throughout the nation, the California law is perhaps the most serious move to date in the antivivisectionists' continuing campaign to prohibit the use of all animals in medical or scientific research.

S.B. 875 complements and strengthens existing law, including the recently enacted Federal law, the Animal Welfare Act of 1970, without imposing unnecessary restrictions on medical and scientific research. The bill should be supported, because it is innovative in that it provides for an identification and registry system for pets, thus allowing owners of lost pets to readily identify and recover their animals. The bill is humane in its provisions, such as the identification section whereby the owner of any registered animal that might be accidentally injured is contacted, and the establishment of a location or adoption procedure in the pound whereby an attempt must be made to locate owners or the animal offered for adoption before it can be destroyed or made available to legitimate research institutions. Thus only unclaimed and unwanted strays that would otherwise be killed at the pound are available for research purposes.

We respectfully suggest that some reasonable limitation should be placed on the amount of allowable advertising by the pound. Otherwise, the municipality will have no control over this expense which could easily become excessive.

The Honorable James H. Wallwork - 4 -

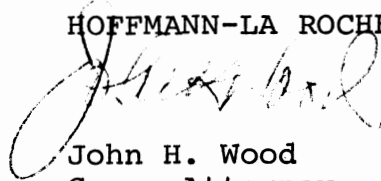
December 16, 1970

As noted, we support enactment of this measure which strikes a reasonable balance between animal welfare and the need to continue the important unfinished work of medical research.

We would appreciate your including this statement in the record of your hearings.

Yours very truly,

HOFFMANN-LA ROCHE INC.

A handwritten signature in dark ink, appearing to read "John H. Wood", is written over the typed name.

John H. Wood
Group Attorney

JHW:1a

JUN 27 1985

.....
✓

