

Testing Boundaries: Why the EPA's Mammal Testing Phase-Out Raised Eyebrows and Questions

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On September 10, 2019, administrator Andrew Wheeler of the Environmental Protection Agency (EPA) announced that the EPA would begin phasing out animal testing on mammals, with the goal of a 30% reduction by 2025 and complete elimination of these studies by 2035. Toxicity testing on fish and birds will continue. The announcement certainly made waves, not only among the animal protection community, but also among environmental and trade groups.

Unsurprisingly, there were about as many opinions on the announcement as there are animals affected by it – although no exact numbers can be confirmed, that number is estimated between 20,000-100,000 animals annually. Remarkably, the government does not track or publish the numbers of animals being used to provide their scientific data. While the EPA has some labs of their own, much of the testing done on new chemicals is contracted out to research consultants that provide the needed data to the EPA for analysis. This diffuse system of labs makes record keeping apparently difficult.

Species including rabbits, guinea pigs, dogs, farmed animals, and the ubiquitous mice and rats are all used by the EPA in toxicity tests on new chemicals such as fertilizers, pesticides, and many others which can pose environmental and public health risks. Historically, animal advocates have been at odds with scientists conducting animal testing urging that aside from being ethically questionable, the tests are outdated and not predictive of how substances would affect a completely different species: humans. Activists have paved the way for the development of alternatives through the establishment of research grants and funds, and have pushed hard for these alternatives to be implemented institutionally. Innovations range from cell cultures, “organs on a chip”, and myriad computational tests that can mimic or statistically predict what would likely happen in a human body. While for decades the expectation has been that researchers “reduce, refine, and replace” animals in tests, especially since the Tox21 collaboration of 2008 prioritizing development and substantiation of alternatives across federal agencies, in reality, research funding continues to be awarded to vivisectors, and animals are only nominally protected by existing legislation.

Many in animal protection surely felt validated when Mr. Wheeler not only gave a concrete timeline for completely phasing out these tests, but admitted that non-animal models will save time, money, and countless animal lives, allocating over \$4 million to universities to make ready these alternative models. In contrast, the European Union dedicated at least 10 times that amount to alternatives when deciding to phase out animal models for many consumer products in 2009, leaving

us to wonder whether the money is just a token sum to bolster the decision or a true investment.

Animal protection groups such as Humane Society of the United States, People for the Ethical Treatment of Animals, White Coat Waste Project, and Physician's Committee for Responsible Medicine all supported the bold move. However, some environmental groups, most vocal among them being the National Resources Defense Council (NRDC), came out vehemently opposed to the phase out, claiming that animal models are still the only viable options for testing systemic and long-term effects of certain chemicals and that the elimination of these tests is dangerous and premature. While it is tragic that environmentalists and animal advocates often reach an ethical impasse on these matters, NRDC pointed out a crucial element in this announcement: regardless of the value of animal versus alternative models, an additional risk of phasing out vivisection is that research and chemical companies will be allowed to rely on non-animal tests that are often proprietary, making them much harder to regulate and leading to less transparency. Internal EPA communications also suggested that the chemical industry was interested in an alliance with animal rights groups. Perhaps this is because they acknowledge a growing demand for "cruelty free" products from consumers, or because it will help deregulate the industry while their purported goodwill toward animals gives them a public relations boost.

Even the animal protection community has not been unified in their response to Wheeler's announcement. Some advocates were critical of the timeline, wondering why it would take so long to phase out animal tests. Others celebrated the announcement, seeing it as a landmark victory after over a century of anti-vivisection campaigning. Thoughtful advocates should be considering two key questions:

Firstly, what is the value of precedents within the animal protection movement? The question of whether incremental welfare improvements are more pragmatic than a total abolition approach sparks fierce debate among our community. One concern is whether alliances and agreements reached with animal-use industries for incremental welfare improvements actually bolsters the industry by improving public opinion while simultaneously diluting or tamping down more progressive animal advocacy measures by "throwing us a bone". Perhaps it is impossible to predict what exactly will work in the end, as each social movement has its own cultural context and challenges. The result has been a diversification of strategies and a call for unity and civility among animal advocates, as we all work toward the same end.

Secondly, what will happen to the animals in labs once the tests are discontinued? Here there are a few relevant precedents. Over the past few decades, the use of animals in medical and veterinary training has been almost entirely replaced by high-tech simulators, dummies, and teaching hospitals that allow students to train with real patients under close supervision. Where animals were once used in

“terminal surgeries” and trauma training, successful campaigns to end the practice made it so that now animals are used for a certain number of years and then adopted out. In that vein, since 2010, the group Beagle Freedom Project has rescued various species of animals previously used in experiments with success, becoming global experts in rehabilitating them. A few years ago, the National Institutes of Health (NIH) announced an end to research on chimpanzees and promised to place the retired chimps in sanctuaries. While many were successfully transferred, in October of this year the NIH decided against sending the last 44 chimps to sanctuary. Promises of retirement for these animals are complicated by their unorthodox history as research subjects. For those clamoring for a faster phase-out of animal testing, it is worth considering what might practically happen to the approximately 100,000 animals currently in use. Are the tests they have been subjected to too devastating for a real recovery? As purpose-bred animals who have never experienced life outside a lab, are there systems in place that could handle orienting them to a very different life and rehabilitating them? If so, would this involve adopting them out to individuals or placing them all in GFAS accredited sanctuaries where high standards of animal care, humane and responsible treatment, proper staffing, organizational sustainability and rigorous programs would improve their chances of recovery? Do our sanctuaries have the capacity to handle such numbers?

As animal advocates, the impulse to want an immediate end to animal suffering is understandable. But if we are to do our best by the animals, it is critical that we not be blinded by our passion for them and continue to identify and pursue the most effective approaches. We must recognize the practical difficulties inherent in big changes for animals as well as the limitations of incremental changes. Let us carefully weigh the benefits and pitfalls of unconventional collaborations. And most of all, let us treasure the unique resources and expertise of GFAS sanctuaries, which will be indispensable in our mission. With conviction, persistence, and wisdom, let us empty the cages as we fill our sanctuaries and hearts.

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