



November 30, 2023

The NABR Update is a news summary of federal and state government affairs, animal rights activities, and other issues related to animal research that may have a direct effect on your organization or its constituents. It's an exclusive service available for NABR members only. If your organization is interested in joining NABR or if you have any questions or suggestions, please email us at info@nabr.org.

FEDERAL

Senators Send Letter to FDA Commissioner on FDA Modernization Act 2.0

On Nov. 16, 2023, Sen. Paul (R-KY) along with eight bipartisan senators sent a letter to Dr. Califf, commissioner of the Food and Drug Administration (FDA), urging the FDA to update its animal testing guidance to comply with the FDA Modernization Act 2.0.

Specifically, the letter asks Dr. Califf: "What specific steps is the FDA is taking to update its animal testing regulations, and what is its timeline is for implementation of a revised regulatory framework?"

The full letter can be found [here](#).

Sen. Paul's press release is available [here](#).

BACKGROUND: The FDA Modernization Act 2.0 was passed by Congress as part of an enormous end-of-year funding package in December of 2022, then signed into law by President Biden shortly thereafter.

This law has been hailed by animal rights groups as a win for taxpayers and animals. Many animal rights groups have claimed that FDA mandates requiring animal models for drug approval are outdated and a move to alternative methods is long overdue.

“The FDA Modernization Act 2.0, to eliminate an archaic and debilitating government mandate for animal testing of experimental drugs, simply would not have become law without Rand Paul’s leadership, persistence, and medical background,” said Wayne Pacelle, president of Animal Wellness Action and the Center for a Humane Economy. “Dr. Paul’s bipartisan bill will not only save public and private dollars by making drug screening faster, better, and more efficient, but it will also save countless human and non-human lives in the process.”

NABR’s Analysis: This legislation simply adds a number of non-animal methods to a list contained in the Food, Drug and Cosmetic Act, while maintaining animal tests in the same list of tests that *could* be requested by the FDA. The language does not constitute a mandate to require non-animal tests, nor does the language directly affect current regulatory requirements at the

FDA. Members are advised to consult FDA guidance regarding non-animal testing methods.

Annual Reports Due to OLAW and the USDA

Annual reports for OLAW and the USDA for the reporting period of Oct. 1, 2022, through Sept. 30, 2023, are due by Dec. 1, 2023. Reports to OLAW must be submitted by domestic institutions with an approved Domestic Animal Welfare Assurance and to USDA by registered research facilities. The Annual Report to OLAW [webpage](#) contains additional information and the annual report form. Domestic institutions should email the completed, signed annual report form in PDF format to olawarp@mail.nih.gov to submit. The annual report [webpage](#) for the USDA contains all the necessary information for submitting your annual report, which is now submitted online. Appropriate USDA login credentials and facility access codes are needed to submit the reports.

ANIMAL RIGHTS NEWS

PETA Hammered Over Thanksgiving Posts

People for the Ethical Treatment of Animals (PETA) has historically used graphic posts to promote their animal rights initiatives. This Thanksgiving was no different as PETA posted an illustration showing a family of turkeys sitting around the dinner table with a human “turkey” on a platter. The caption reads, “We’re lucky turkeys would never do this to us—you don’t have to do it to them, either.”

“Community Notes” on the “X” platform responded with: “Turkeys are not vegetarians. Turkeys eat mice, lizards, frogs, and just about anything they can fit in their mouth. If turkeys were larger or had the technological means to farm and eat humans, their current diet reveals they likely would.”

The post along with the fact checker's comment has received over 50 million views since Thanksgiving Day.

When asked, PETA's President Ingrid Newkirk said, "The last laugh is on people who cannot read, because PETA did not say that turkeys are vegetarians—we said that they would not eat humans and we should show them the return courtesy."

The full story is available [here](#).

ANNOUNCEMENTS

Please join us on January 9, 2024, at 12:30 p.m. EST for the first of NABR's 2024 Webinar series, "The FY 2023 USDA Oversight Process"

Each year, NABR obtains information from the USDA's Animal Care Inspection System database using the Public Search Tool to review the inspection results for the previous fiscal year and provides a review and analysis of that information. The Public Search Tool was updated in September 2020 and now also contains information on enforcement actions including letters of warning and stipulation agreements. A preliminary review of the data using the Public Search Tool found that the number of inspections conducted in FY 2023 was down from FY2022, but the total number of citations increased largely due to the increase in non-critical citations. The increase is slightly more than was anticipated following the elimination of Teachable Moments; however, a cause-and-effect linkage cannot be made until a detailed analysis is performed. In this webinar, we will present our annual review of the inspection data along with an analysis of the type of noncompliant items cited and the enforcement actions taken as result of certain citations issued.

Upcoming National Academies Workshops Announced

'Guide' Workshop Nominations Needed

A workshop planning committee will be convened by the National Academies to explore topics of interest related to potential, future updates to the Guide for the Care and Use of Laboratory Animals (the Guide, 8th edition, NRC 2011). The workshop will build upon listening sessions that the Standing Committee for the Care and Use of Animals in Research (Standing Committee) held during the past year as it has explored various themes to inform future updates or revisions to the Guide.

Additional workshop details can be found by clicking [here](#).

Effective communication workshop

A workshop exploring the diversity of public views on care and use of animals in research and current understanding of how scientists and members of the public can communicate transparently and effectively.

The workshop will be in hybrid format on Tuesday, Dec. 19, 2023, and Wednesday, Dec. 20, 2023.

Attendance is open to the public, so please [register now](#) to attend this meeting.

Contingency Planning Workshop

More information is available [here](#).