



City of Cambridge

13.

IN CITY COUNCIL

September 8, 1986

VICE-MAYOR VELLUCCI

ORDERED:

That the attached proposed amendment to the General Ordinances of the City of Cambridge in Chapter Eleven entitled: "Health, Hospitals and Housing" by inserting an Article IV entitled: "Ordinance for the Care and Use of Laboratory Animals in the City of Cambridge", be referred to the Committee on Ordinances.

Passed to 2nd Reading

*Hearin 9/18/86
5 P.M.*



City Of Cambridge

In the Year One Thousand, Nineteen Hundred and Eighty-Six

AN ORDINANCE

In amendment to an Ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "the Code of the City of Cambridge."

Be it ordained by City Council of the City of Cambridge

Chapter Eleven entitled: "Health, Hospitals and Housing" is hereby amended by inserting the following article:

ARTICLE IV ORDINANCE FOR THE CARE AND USE OF LABORATORY ANIMALS IN THE CITY OF CAMBRIDGE

Section 11-?. GUIDELINES FOR THE REGULATION OF THE CARE
AND USE OF LABORATORY ANIMALS.

I. DEFINITIONS

In the context of this ordinance the following definitions are adopted:

- (a) An animal is any nonhuman sentient being.
- (b) An experiment is any procedure conducted by a research institution on a live animal.
- (c) A research institution is any institution operated in the City of Cambridge by the United States or by the Commonwealth of Massachusetts or a political sub-division thereof, or any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine, or agricultural, medical, biological, or diagnostic laboratory, biological corporation, hospital or other educational or scientific establishment within the Commonwealth of Massachusetts which in connection with any of its activities investigates or gives instruction concerning the structure and function of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals.

II. GUIDELINES FOR ANIMAL EXPERIMENTATION

- (a) All experiments on animals in the City of Cambridge shall be undertaken only in strict conformity with the "Guide for the Care and Use of Animals" (hereinafter referred to as the "Guide") of the National Institute of Health (hereinafter referred to as "NIH") as set forth in the Federal Register dated May 9, 1985 and in conformity also with applicable statutes and regulations of the Commonwealth of Massachusetts and ordinances and regulations of the City of Cambridge and such specific regulations as are established by the Cambridge Animal Experimentation Review Board created by this Ordinance (hereinafter referred to as "CAERB") to ensure compliance with the provisions of this Ordinance.
- (1) All research institutions where experiments on animals are performed shall register with the City of Cambridge and agree to comply with the provisions of this Ordinance.
 - (2) All research institutions shall file a semi-annual report with the City of Cambridge outlining the type, number, and source of animals used within the previous six months.
 - (3) Each research institution proposing to experiment on animals shall conduct a training program for personnel involved in the care and use of animals. Such training shall be consistent with the provisions of the Federal Improved Standards for Laboratory Animals Act. In connection with such training a manual or manuals shall be prepared and such manual or manuals shall outline all procedures and techniques relevant to providing for the psychological and physical health of the animals. Said manual or manuals shall be submitted to the CAERB for review and approval.
 - (4) All research institutions shall have an Institutional Animal Care and Use Committee (hereinafter referred to as the "IACUC") as mandated by the Guide. The IACUC should be broad-based in its composition; it should include members from a variety of disciplines, representation from the animal care staff, and at least one member unaffiliated with the research institution. The members of IACUC shall have unrestricted access to all areas in which animals are housed or used as subjects in experiments, subject only

to such limitations as are deemed necessary by the research institution and are approved in writing by the CAERB. At least one member of the IACUC should serve as a representative of community interests in the welfare of the animals. Such a member must be selected by the research institution from a list of individuals provided by the Animal Commission of the City of Cambridge (hereinafter referred to as the "Animal Commission"). Said list will be composed of individuals deemed to have the greatest capacity to provide effective advocacy on behalf of the animals.

- (5) When any member of the IACUC is uncertain that the care and use of animals in a research institution is consistent with applicable laws, regulations, or guidelines, or community ethical standards, and such concerns are not resolved within the deliberations and activities of the IACUC, such member shall notify the CAERB.
- (6) All animals in research institutions shall receive at least the protections afforded to any animal under the Animal Welfare Act (hereinafter referred to as the "AWA"), Guide, State Law and City ordinances and regulations.
- (7) Research institutions undertaking animal experimentation shall perform adequate screening to ensure that the animals do not suffer from bacterial or viral diseases or injuries not described in the proposal for such experiments as an intent of the experiment. Any animals found to be suffering from such diseases or injuries shall receive prompt and appropriate veterinary treatment. Complete records of such cases shall be maintained and made available to the CAERB for its review.
- (8) As part of the research institution's responsibilities, it shall continuously monitor the physical pain or psychological distress of animal subjects. Furthermore, the research institution shall take every step possible to mitigate pain or psychological distress except to the extent that such pain or psychological distress is described in the proposal for the experiment as an intent of the experiment.
- (9) All cases of unusual illness in the animals or the workers associated with the experiments being conducted shall be fully investigated and reported to both the Director of the Animal Commission and the Commissioner of Health and Hospitals of the City

of Cambridge.

- (10) Animal experiments involving physical pain where such pain is not mitigated at all times by the use of adequate anaesthesia and post-operative pain-killers must be reviewed and approved by the CAERB.

Section 11-?. CAMBRIDGE ANIMAL EXPERIMENTATION REVIEW BOARD (CAERB)

I. CREATION

- (a) The CAERB shall be established for the purpose of overseeing all animal experimentation that is conducted in the City of Cambridge.
- (b) The CAERB shall be composed of the Chair of the subcommittee of the City Council on Human Services, the Director of the Animal Commission, and a minimum of three other members to be appointed by the City Manager. The City Manager is authorized to provide for the adequate staffing of the CAERB.

II. RESPONSIBILITIES

Specific responsibilities of the CAERB shall include:

- (a) Determining and delineating the community's ethical standards for the use of animals for the purpose of this Ordinance and being available for consultation with each research institution to insure that the research institution's care and use of animals meets those standards.
- (b) Maintaining a relationship with the IACUCs.
- (c) Reviewing all proposals for animal experimentation to be conducted in the City of Cambridge in order to establish the compliance of said proposal with the Guide, any amendment thereof, or other regulations or guidelines as may be established by the NIH, the USDA, or any other federal agency, or by Act of Congress; and in conformity also with all applicable statutes and regulations of the Commonwealth of Massachusetts and ordinances of the City of Cambridge, and such statutes or regulations as may be established by the Commonwealth or the City.

- (d) Developing a procedure by which members of research institutions where animal experimentation is conducted may report violations either in technique or established policy to the CAERB.
- (e) Conducting unannounced site visits to research institutions or designating agent(s) to conduct such visits.
- (f) Reviewing protocols for experiments on animals that are conducted in the City of Cambridge for compliance with the provisions of this Ordinance.
- (g) Investigating alleged violations of the Guide, applicable laws, regulations, and community ethical standards. Upon completion of such investigation, the CAERB shall promptly report its recommendations for any further action deemed necessary, if any, to ensure compliance with applicable laws, regulations, and community ethical standards, to the City Council.
- (h) Insuring that the IACUCs file regular reports with the CAERB in a manner determined by the CAERB, and that the IACUCs file duplicates with the CAERB of reports filed pursuant to the AWA, simultaneously with the submission of such reports to the appropriate state or federal agency.
- (i) Reviewing reports and recommendations from the IACUCs.

III. VIOLATIONS

Violations of the conditions by research institutions of this Ordinance shall subject the violator to a fine up to two hundred fifty dollars (\$250) per violation per day and in addition the research institution in which serious or repeated violation of this Ordinance occurs may be closed by the Director of the Animal Commission. Each day of violation shall constitute a separate and distinct offense.

Section 11-?? SEVERABILITY OF SECTIONS.

If any section, sub-section, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.



City of Cambridge

13.

IN CITY COUNCIL

September 8, 1986

VICE-MAYOR VELLUCCI

ORDERED:

That the attached proposed amendment to the General Ordinances of the City of Cambridge in Chapter Eleven entitled: "Health, Hospitals and Housing" by inserting an Article IV entitled: "Ordinance for the Care and Use of Laboratory Animals in the City of Cambridge", be referred to the Committee on Ordinances.

In City Council September 8, 1986.

Adopted by the affirmative vote of 9 members.

Attest:- Joseph E. Connarton, Acting City Clerk.

A true copy;

ATTEST:-

Handwritten signature of Joseph E. Connarton in cursive.

Joseph E. Connarton, Acting City Clerk.

(PROPOSED AMENDMENT PASSED TO A SECOND READING. COMMITTEE ON ORDINANCES HEARING SCHEDULED FOR THURSDAY, SEPTEMBER 18, 1986 AT 5:00 P.M.)

II. GUIDELINES FOR ANIMAL EXPERIMENTATION

- (a) All experiments on animals in the City of Cambridge shall be undertaken only in strict conformity with the "Guide for the Care and Use of Animals" (hereinafter referred to as the "Guide") of the National Institute of Health (hereinafter referred to as "NIH") as set forth in the Federal Register dated May 9, 1985 and in conformity also with applicable statutes and regulations of the Commonwealth of Massachusetts and ordinances and regulations of the City of Cambridge and such specific regulations as are established by the Cambridge Animal Experimentation Review Board created by this Ordinance (hereinafter referred to as "CAERB") to ensure compliance with the provisions of this Ordinance.
- (1) All research institutions where experiments on animals are performed shall register with the City of Cambridge and agree to comply with the provisions of this Ordinance.
 - (2) All research institutions shall file a semi-annual report with the City of Cambridge outlining the type, number, and source of animals used within the previous six months.
 - (3) Each research institution proposing to experiment on animals shall conduct a training program for personnel involved in the care and use of animals. Such training shall be consistent with the provisions of the Federal Improved Standards for Laboratory Animals Act. In connection with such training a manual or manuals shall be prepared and such manual or manuals shall outline all procedures and techniques relevant to providing for the psychological and physical health of the animals. Said manual or manuals shall be submitted to the CAERB for review and approval.
 - (4) All research institutions shall have an Institutional Animal Care and Use Committee (hereinafter referred to as the "IACUC") as mandated by the Guide. The IACUC should be broad-based in its composition; it should include members from a variety of disciplines, representation from the animal care staff, and at least one member unaffiliated with the research institution. The members of IACUC shall have unrestricted access to all areas in which animals are housed or used as subjects in experiments, subject only



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Six

AN ORDINANCE

In amendment to an Ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Eleven entitled "Health, Hospitals and Housing" is hereby amended by inserting the following article:-

ARTICLE IV

ORDINANCE FOR THE CARE AND USE OF LABORATORY ANIMALS IN THE CITY OF CAMBRIDGE

Section 11-30. GUIDELINES FOR THE REGULATION OF THE CARE
AND USE OF LABORATORY ANIMALS.

I. DEFINITIONS

In the context of this ordinance the following definitions are adopted:

- (a) An animal is any nonhuman sentient being.
- (b) An experiment is any procedure conducted by a research institution on a live animal.
- (c) A research institution is any institution operated in the City of Cambridge by the United States or by the Commonwealth of Massachusetts or a political sub-division thereof, or any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine, or agricultural, medical, biological, or diagnostic laboratory, biological corporation, hospital or other educational or scientific establishment within the Commonwealth of Massachusetts which in connection with any of its activities investigates or gives instruction concerning the structure and function of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals.

to such limitations as are deemed necessary by the research institution and are approved in writing by the CAERB. At least one member of the IACUC should serve as a representative of community interests in the welfare of the animals. Such a member must be selected by the research institution from a list of individuals provided by the Animal Commission of the City of Cambridge (hereinafter referred to as the "Animal Commission"). Said list will be composed of individuals deemed to have the greatest capacity to provide effective advocacy on behalf of the animals.

- (5) When any member of the IACUC is uncertain that the care and use of animals in a research institution is consistent with applicable laws, regulations, or guidelines, or community ethical standards, and such concerns are not resolved within the deliberations and activities of the IACUC, such member shall notify the CAERB.
- (6) All animals in research institutions shall receive at least the protections afforded to any animal under the Animal Welfare Act (hereinafter referred to as the "AWA"), Guide, State Law and City ordinances and regulations.
- (7) Research institutions undertaking animal experimentation shall perform adequate screening to ensure that the animals do not suffer from bacterial or viral diseases or injuries not described in the proposal for such experiments as an intent of the experiment. Any animals found to be suffering from such diseases or injuries shall receive prompt and appropriate veterinary treatment. Complete records of such cases shall be maintained and made available to the CAERB for its review.
- (8) As part of the research institution's responsibilities, it shall continuously monitor the physical pain or psychological distress of animal subjects. Furthermore, the research institution shall take every step possible to mitigate pain or psychological distress except to the extent that such pain or psychological distress is described in the proposal for the experiment as an intent of the experiment.
- (9) All cases of unusual illness in the animals or the workers associated with the experiments being conducted shall be fully investigated and reported to both the Director of the Animal Commission and the Commissioner of Health and Hospitals of the City

of Cambridge.

- (10) Animal experiments involving physical pain where such pain is not mitigated at all times by the use of adequate anaesthesia and post-operative pain-killers must be reviewed and approved by the CAERB.

~~Section 11-22A~~ CAMBRIDGE ANIMAL EXPERIMENTATION REVIEW BOARD (CAERB)

I. CREATION

- (a) The CAERB shall be established for the purpose of overseeing all animal experimentation that is conducted in the City of Cambridge.
- (b) The CAERB shall be composed of the Chair of the subcommittee of the City Council on Human Services, the Director of the Animal Commission, and a minimum of three other members to be appointed by the City Manager. The City Manager is authorized to provide for the adequate staffing of the CAERB.

II. RESPONSIBILITIES

Specific responsibilities of the CAERB shall include:

- (a) Determining and delineating the community's ethical standards for the use of animals for the purpose of this Ordinance and being available for consultation with each research institution to insure that the research institution's care and use of animals meets those standards.
- (b) Maintaining a relationship with the IACUCs.
- (c) Reviewing all proposals for animal experimentation to be conducted in the City of Cambridge in order to establish the compliance of said proposal with the Guide, any amendment thereof, or other regulations or guidelines as may be established by the NIH, the USDA, or any other federal agency, or by Act of Congress; and in conformity also with all applicable statutes and regulations of the Commonwealth of Massachusetts and ordinances of the City of Cambridge, and such statutes or regulations as may be established by the Commonwealth or the City.

- (d) Developing a procedure by which members of research institutions where animal experimentation is conducted may report violations either in technique or established policy to the CAERB.
- (e) Conducting unannounced site visits to research institutions or designating agent(s) to conduct such visits.
- (f) Reviewing protocols for experiments on animals that are conducted in the City of Cambridge for compliance with the provisions of this Ordinance.
- (g) Investigating alleged violations of the Guide, applicable laws, regulations, and community ethical standards. Upon completion of such investigation, the CAERB shall promptly report its recommendations for any further action deemed necessary, if any, to ensure compliance with applicable laws, regulations, and community ethical standards, to the City Council.
- (h) Insuring that the IACUCs file regular reports with the CAERB in a manner determined by the CAERB, and that the IACUCs file duplicates with the CAERB of reports filed pursuant to the AWA, simultaneously with the submission of such reports to the appropriate state or federal agency.
- (i) Reviewing reports and recommendations from the IACUCs.

III. VIOLATIONS

Violations of the conditions by research institutions of this Ordinance shall subject the violator to a fine up to two hundred fifty dollars (\$250) per violation per day and in addition the research institution in which serious or repeated violation of this Ordinance occurs may be closed by the Director of the Animal Commission. Each day of violation shall constitute a separate and distinct offense.

Section 11-32. SEVERABILITY OF SECTIONS.

If any section, sub-section, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Passed to a second reading at the City Council meeting held on September 8, 1986 on or after September 22, 1986 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
Acting City Clerk



City of Cambridge

32.

IN CITY COUNCIL

March 28, 1988

MAYOR VELLUCCI

ORDERED: That the two proposed amendments to the General Ordinances of the City of Cambridge originally submitted for the consideration of the City Council in 1987, relative to the Ordinance for the Care and Use of Laboratory Animals in the City of Cambridge, which were placed on file without prejudice at the end of the legislative session in 1987 be taken from the files of the City Clerk and placed on the Table for action in 1988.

In City Council March 28, 1988.
Adopted by the affirmative vote of 9 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton
Joseph E. Connarton, City Clerk.



City of Cambridge

Calendar Item No. 22

~~(Calendar Item No. 28.)~~

~~-6-~~

IN CITY COUNCIL

~~December 19, 1988~~

~~January 9, 1989~~

January 30, 1989

COUNCILLOR WALTER SULLIVAN

ORDERED: That all items excluding ordinance amendments subject to a statutory time frame, not acted upon at this meeting be placed without prejudice, in the files of the City Clerk, subject to recall by any member of this City Council.

In City Council January 30, 1989.
Adopted by the affirmative vote of 9 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

City Of Cambridge
In the Year One Thousand, Nineteen Hundred and Eighty-Seven
AN ORDINANCE

In amendment to an Ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "the Code of the City of Cambridge."

Be it ordained by City Council of the City of Cambridge

Chapter Eleven entitled: "Health, Hospitals and Housing" is hereby amended by inserting the following article:

ARTICLE IV
ORDINANCE FOR THE CARE AND USE OF LABORATORY
ANIMALS IN THE CITY OF CAMBRIDGE

Section 11-30. DEFINITIONS

In the context of this Ordinance the following definitions are adopted:

- (a) An animal is any nonhuman vertebrate.
- (b) An experiment is any procedure conducted by a research institution on a live animal.
- (c) A painful experiment is an experiment that involves significant pain or distress to the animal. This shall include but not be limited to such experiments as:
 - (1) Deliberate induction of behavioral stress, loss of sight, the Draize eye irritancy test, or similar debilitation to test its effect;
 - (2) Surgical procedures such as the invasion and exposure of body cavities, orthopedics, or dental work, and those that result in significant post-operative pain or distress;
 - (3) Induction of an anatomic or physiological deficit which will result in pain or distress;
 - (4) Application of noxious stimuli such as trauma or electric shock from which escape is impossible;

- (5) Prolonged periods of physical restraint;
 - (6) Deprivation studies such as those withholding food, water, sleep, or maternal contact for infants;
 - (7) Induction of aggressive, self-mutilating, or psychotic behavior;
 - (8) Toxicity studies, radiation sickness, burns, and stress research; and,
 - (9) Killing by inhumane means.
- (d) A research institution is any facility or facilities operated in the City of Cambridge, or any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine, or agricultural, medical, biological, or diagnostic laboratory, biological corporation, hospital or other educational or scientific establishment within the City of Cambridge which in connection with any of its activities investigates or gives instruction concerning the structure and function of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals, or participates in the development, marketing, or testing of any commercial product utilizing live animals.
- (e) The Animal Commission is as created by Ordinance No. 897 of the Code of the City of Cambridge and any amendments thereof, or its designated agents.

Section 11-31 REGISTRATION

Each research institution shall register with the Animal Commission of the City of Cambridge (hereinafter "Animal Commission") within ninety days of the enactment of this Ordinance or the first day of conducting experiments in Cambridge.

Section 11-32 REPORTING REQUIREMENTS

- (a) On June 30 and December 31 of each year each research institution shall file a report with the Animal Commission that sets forth the type, number and source of animals used in the preceding six months.
- (b) On March 31, June 30, September 30 and December 31 of each year, each research institution shall file with the Animal Commission copies for the preceeding quarter of the following:

- (1) minutes of all meetings of the Animal Care Committee required by Section 11-36,
- (2) any reports relating to or affecting experiments which a research institution or an Animal Care Committee is required to submit to a federal or state agency pursuant to a federal or state statute or regulation or in connection with a funding request, and
- (3) protocols of all painful experiments approved by the Animal Care Committee.

If any copies required under clauses (1), (2) or (3) contain a trade secret, a description that includes specific information about the nature and purpose of the material or process may be substituted for the trade secret. Said copies may also delete any confidential financial information entitled to protection under Section 11-39(a)(2).

Section 11-33 GUIDELINES FOR ANIMAL EXPERIMENTS

All experiments in the City of Cambridge shall be undertaken in conformity with the current Guide for the Care and Use of Animals of the National Institutes of Health and succeeding revised editions thereof, Animal Welfare Act (7 U.S.C. Sections 2131, *et seq*) and federal regulations pursuant to the act, Public Health Service Policy on Humane Care and Use of Laboratory Animals as amended from time to time, statutes and regulations of the Commonwealth of Massachusetts, and ordinances and regulations of the City of Cambridge.

Section 11-34 GUIDELINES FOR PAINFUL EXPERIMENTS

- (a) Each research institution shall continuously monitor the pain and distress of each animal and shall alleviate such pain or distress except to the extent that said pain or distress has been described in the protocol.
- (b) Each research institution shall obtain prior written approval of the Animal Commission before conducting any painful experiment in which anesthesia, analgesia, and tranquilizers used are not adequate to alleviate pain or distress at all times. Such permission shall be granted only if the experiment is judged to yield significant information about

a serious disease or illness afflicting humans or animals such as cancer, heart disease, arthritis, or diabetes, and if no alternatives are available.

Section 11-35 TRAINING OF PERSONNEL

Each person involved in the care or use of animals at a research institution shall successfully complete a training program approved by the Animal Commission that teaches the requirements set forth in Sections 11-33 and 11-34.

Section 11-36 ANIMAL CARE COMMITTEES

Each research institution shall have an Animal Care Committee which shall ensure compliance with provisions of this Ordinance.

- (a) The Animal Care Committee shall be broad-based in its composition and include at least one member unaffiliated with the research institution who shall be appointed by the Animal Commission in cooperation with local animal welfare groups. Said member shall serve at the Animal Commission's pleasure and shall represent the community's concerns about the welfare of animals.
- (b) All members of the Animal Care Committee shall have unrestricted access to all areas in which animals are housed or used in experiments and to protocols of all experiments, subject only to such limitations as have been given prior approval in writing by the Animal Commission.
- (c) A description of all experiments conducted at the research institution shall be provided to the Animal Care Committee. Said description shall include the number and species of animals killed during or after each experiment and the cause of their death.
- (d) No painful experiment shall be performed without the prior written approval of the Animal Care Committee. Such approval shall be given only if appropriate anesthesia, analgesics and tranquilizers are required by the protocol and there are no less painful alternatives.
- (e) Each Animal Care Committee shall keep accurate minutes of its deliberations. Said minutes shall include information provided under subsections (c) and (d).

Section 11-37 COMMUNITY ETHICAL STANDARDS

The Animal Commission shall delineate the community's ethical standards for the use of animals in experiments in order to aid its determinations and to assist Animal Care Committees in their deliberations.

Section 11-38 INSPECTIONS AND INVESTIGATIONS

- (a) The Animal Commission shall:
 - (1) Conduct periodic unannounced site visits to research institutions to ensure compliance with this Ordinance, and
 - (2) Investigate alleged violations of this Ordinance.
- (b) Each research institution shall produce all documents requested by the Animal Commission in order to carry out its inspections and investigations.
- (c) Each research institution shall provide complete access to the Animal Commission in order for the Animal Commission to carry out its inspections and investigations.

Section 11-39 TRADE SECRETS

- (a) It shall be unlawful for any member of an Animal Care Committee to release any confidential information of the research institution including information that concerns or relates to:
 - (1) the trade secrets; or,
 - (2) the identity, confidential statistical data, amount or source of income, profits, losses, or expenditures of the research institution.

Notwithstanding clauses (1) or (2), no information relating to or affecting the treatment of animals by the research institution including information about any violations of the provisions of this Ordinance shall be deemed to be confidential information of the research institution.

- (b) It shall be unlawful for any member of the Animal Care Committee to:
- (1) use or attempt to use to his or her financial advantage; or
 - (2) reveal to any other person any information which is entitled to protection as confidential information under subsection (a).
- (c) A violation of subsections (a) or (b) shall be punishable by:
- (1) removal from such Committee; and
 - (2) a fine of not more than \$500 or, if the violation is willful, a fine of not more than \$2,000.

Section 11-40 VIOLATIONS

Any research institution that violates this Ordinance shall be punished by a fine of not less than one hundred dollars and not more than two hundred fifty dollars per violation per day. The Director of the Animal Commission may order closed any research institution that engages in repeated violations of this Ordinance and seize and board or euthanize at the expense of the research institution the animals affected. The Director of the Animal Commission or any charitable corporation whose purposes include the protection of the welfare of animals may bring suit in the Superior Court to enjoin any violations of this Ordinance and to enforce its provisions and shall receive reasonable attorney's fees if it is a prevailing party.

Section 11-41 SEVERABILITY OF SECTIONS

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

March 6, 1989

TO: The Honorable, The City Council

FROM: Joseph E. Connarton, *JEC* City Clerk

SUBJECT: Legislative History of the two proposed amendments to the Code of the City of Cambridge regarding the Care and Use of Laboratory Animals

With the recent release of the Report of the Mayor's Blue Ribbon Committee on the Care and Use of Laboratory Animals in Cambridge dated February 24, 1989, I thought it would be beneficial to the City Council if I provided the legislative history of the proposed amendments to the Code of the City regarding this subject matter.

On September 8, 1986, then Vice-Mayor Vellucci introduced an order (No. 13), referring a proposed amendment to Chapter Eleven entitled: "Health, Hospitals and Housing" by inserting Article IV entitled: "Ordinance for the Care and Use of Laboratory Animals in the City of Cambridge" to the Committee on Ordinances. The proposed amendment was passed to a second reading also at this time. The Committee on Ordinances scheduled a hearing for Thursday, September 18, 1986 at 5:00 p.m. Said hearing was held and the matter remained in Committee on a motion by Councillor Duehay.

On September 29, 1986, then Councillor Wolf introduced an order (No. 3), requesting of the City Manager, Commissioner of Health and Hospitals and the Animal Commission to provide information regarding (1) any evidence of unnecessary cruelty to animals, and (2) any reason(s) that proposed ordinance would inhibit necessary medical research. Said order was adopted by the affirmative vote of nine members.

On February 2, 1987, Councillors Wolf and Duehay submitted Order No. 9, requesting the City Solicitor to draft an animal research ordinance with six components. On this date Councillor Duehay exercised his Charter Right. On February 9, 1987 this order was tabled on a motion of then Vice-Mayor Vellucci by a call of the roll 8-1-0.

On April 13, 1987, the City Manager, in response to Council Order No. 3 of September 29, 1986, transmitted communications received from the Commissioner of Health and Hospitals and the Director of the Animal Commission relative to animal research being conducted in Cambridge. Also, on this date the City Manager enclosed a copy of a substitute ordinance. This agenda item (No. 2) was referred to the public hearing scheduled for that date and referred to the Committee on Ordinances.

On May 11, 1987, Council Order No. 9 of February 2, 1987 was placed on file. This was due, in fact, to the response of the City Manager on April 13, 1987. Also on this date, then Mayor Walter J. Sullivan, then Vice-Mayor Vellucci, Councillors Danehy, Russell and Walsh co-sponsored City Council Order No. 11 that the Classical LD 50 Acute Toxicity Test and the Draize Eye-Irritancy Test on animals be banned within the limits of the City; any exemptions from this ban be granted solely by the Health Commissioner subject to review and approval of the City Council and that the City Solicitor be requested to prepare an ordinance to this effect for review and action by the City Council. Councillor Duehay exercised his Charter Right. On May 18, 1987 Calendar Item No. 6 was amended by then Councillor Wolf and the item was adopted as amended by the affirmative vote of nine members.

On June 29, 1987, then Vice-Mayor Vellucci introduced Council Order No. 2 requesting the acceptance and referral of an amendment to the Code of the City of Cambridge regarding the Care and Use of Laboratory Animals. Said order was adopted and referred by the affirmative vote of nine members.

On September 15, 1987, the Committee on Ordinances conducted a public hearing to consider the proposed amendments dated April 13, 1987 and June 29, 1987. On a motion by Councillor Duehay both amendments were referred to the full City Council without recommendation.

On December 28, 1987, pursuant to Council Order No. 2, these matters were placed on file, without prejudice, in the Office of the City Clerk.

On March 28, 1988, pursuant to Council Order No. 32 submitted by Mayor Vellucci, these two items (April 13 and June 29, 1987 amendments) were pulled from the files of the City Clerk and placed on the Table.

Both proposed amendments to the Code of the City remained on the Calendar through January 30, 1989, at which time they were placed on file, pursuant to Calendar Item No. 22 of the above-referenced date, placing on file all unacted upon Calendar items, without prejudice, subject to resubmittal.

I hope this legislative history will prove beneficial to you in your deliberations.

JEC/mh

next Monday
meeting June 29

Orderce

That the attached Ordinance for the
Care ~~of~~ and use of Laboratory Animals
in the city of Cambridge be accepted
and referred to the committee on
Ordinance for review and public
hearing, and further that copies be
furnished all city Councilors for their
review and comment and suggestions.

A. Vellini

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September 21, 1987

To the Honorable, the City Council:

I heard all the testimonials here last week about cancer. And I fully understand their pain. My mother had cancer too. She's dead. More animals being tortured, maimed, and mutilated wouldn't have saved her. My mother might be alive today if information was shared in the medical community. But the information is hoarded, with little regard for medical discoveries or animal victims. Because of this attitude experiments are needlessly repeated over and over again as more animals are unfairly sacrificed.

Harry F. Harlow of the Primate Laboratory in the University of Wisconsin began conducting experiments on maternal deprivation. Other researchers followed, as was the fashionable thing to do. Thirty years later with research costing 57 million dollars in taxpayer money and involving 7,000 animals Mr. Harlow stated that "most experiments are not worth doing and the data attained are not worth publishing. Sir Issac Newton's statement "If I have seen farther than any other man it is because I have stood on the shoulders of giants" does not apply to status orientated researchers.

Also computer technology is available which would exclude much animal research so the issue is not medical science but money and medical ego. Grants from the government are the issue, not human or animal lives saved.

I very much agree with Councillor Danehy that the Commissioner of Health and Hospitals should not be paid by MIT. Not only is it a conflict of interests but an extreme case of the fox guarding the chicken coop. Inspections should be spontaneous and never announced; otherwise they serve no purpose. Also a once a year inspection gives little information as to year round conditions.

Animals bodies are often similiar but also very different from our own. This is evidenced by our different gestation periodser tolerance to medication. I don't believe the issues have been clearly represented. It is not true that if you sacrifice an animal you promote medical advances. Thalidemide was first developed in 1958. We owe the seal like appendages of thalidemide victims to ani-

mal research. Successful results were obtained on the animals. Thalidomide was withdrawn from the American market in 1961 because of this result of fetal abnormalities. But for the many mothers who had no choice but to have the child it was an unnecessary horror.

Sincerely,

Deborah Clifford

Physicians' Comment:

ANIMAL RESEARCH — A WASTEFUL EXERCISE IN FUTILITY

It is widely believed that animal research is a necessity; that although often cruel and exploitative of non-human animals, it is a "necessary evil;" that without it the state of human health would plummet. **Nothing can be further from the truth.**

While it is true that animals are widely used for biomedical and psychological research, as well as for cosmetic testing, the reasons for this have more to do with tradition, habit, conceptual confusion, economics and legal considerations than for the real advancement of science or medicine.

The fact that animals are always used, automatically and routinely, does not mean that they are indispensable to the discovery or development of a particular product or procedure. Actually, their use has usually been gratuitous and superfluous. In short, animal research and testing is most often not necessary from the scientific standpoint.

If this is so, then why has animal experimentation become entrenched with an almost religious fervor? There are several reasons, all of which relate to the five already mentioned.

Change is difficult for anyone, and is particularly painful for established scientific and medical organizations and

bureaucracies, which tend to be quite conservative, especially if the required change might imply admission of previously-held incorrect ideas or flawed axioms. People simply do not like to admit they are wrong. Academia contributes to the continuation of animal research because older faculty members, trained and experienced only in animal research, encourage and emphasize this approach, to the exclusion of others, in younger

Growing numbers of professionals like myself have re-evaluated the sense, efficacy and worth of animal research and have formed groups and societies to oppose the current situation and advocate alternatives and more productive approaches.

individuals. In addition, improvement in academic rank, prestige and salary often depends on the number of research papers published, which usually means animal

research grant applications. The entire community of animal researchers depends on an infrastructure of persons who cannot survive without animal research. The combination of all the above factors creates a pro animal research mindset which can be overpowering in its strength and immobile in its entrenchment.

But weaken and stop it we must try, for it is counterproductive as well as anti-science, anti-health, and anti-life, and is leading us down the garden path of waste and decay and, at times, overt duplicity and fraud. My major reason for writing this article is to try and motivate other physicians, scientists and health care professionals of all types to realize that they are not alone in their skepticism toward animal research and to speak out. Growing numbers of professionals like myself have re-evaluated the sense, efficacy and worth of animal research and have formed groups and societies to oppose the current situation and advocate alternatives and more productive approaches. I encourage you to fight the dangerous dead end of animal research and to help prevent the continued maintenance of the vapid status quo.

More about this in the next issue.

—Murry J. Cohen, M.D.

Perspective

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The "In Defense of Animals"
Quarterly Newsletter

Summer 1987

Probing the Mind of the Vivisector

BY ALLAN BULLINGTON

Dr. Michael Grant, a former animal researcher, talks about the defense mechanisms, personal ambitions and rationalizations utilized by many in the animal research community to suppress doubts about the actual morality of their work.



Allan Bullington (left) interviews Dr. Michael Grant on "Animal Rights Forum", a cable television program.

The following is a recent interview conducted by Allan Bullington, Director of Animal Rights Information Service, Inc. (ARIS), and host of "Animal Rights Forum", with Dr. Michael Grant, Associate Professor of Psychology, University of Bridgeport, concerning "The Mind of the Vivisector." "Animal Rights Forum" is now airing weekly on cable in New York City and Buffalo, N.Y., Bridgeport, Conn., Arlington, Va., Ann Arbor and Detroit, Mich., and the whole eastern part of the state of Washington, including Seattle. Readers interested in serving as sponsors for the show in their local areas may contact ARIS at Box 20672, Columbus Circle Station, New York, NY 10023.

Dr. Grant, what led you into research using animals?

I believe that most people start animal research when they're children—playing around with anthills and the like is probably the first attempts people make

to manipulate the behavior of other species. Formally, I began in college in pre-medical programs, biology classes and as a lab assistant. However, the most serious types of research I engaged in were in graduate school in physiology research—working primarily with mice and rats while doing research on the effects of various drugs. After about two years, I was approached by another researcher who was an admirer of my work and I remember vividly how he led me into his laboratory to show me a rack of cages of cats who were being used in brain stimulation experiments. According to him, I had now moved up the ladder of research to the level of using cats.

So, in his mind, you had earned the right to "move up the evolutionary scale" away from research with rodents to begin using cats?

Yes, it was recognition. Given the expense of various animals, primates being the most expensive, you find that there is a hierarchy of "working your way through the ranks" before you would make it to a primate lab.

As in most businesses, and research is certainly a business, in order to get ahead, one doesn't "make waves." Related to this, did you or any of your fellow researchers ever bring up the subject of animal pain, the use of too many animals, or the so-called necessity of proposed research projects?

I think it would have been viewed as inappropriate. In fact, it was just the opposite—there was a tremendous peer pressure to just go along and be a member of the team. There was morale-building, and an encouraging of one another to think that we were involved in something special. We actually had a softball team called "The Experimenters."

What led you to think that there was something wrong with this whole scenario?

Somehow, when I looked at those cats I knew that I couldn't do that type of research; I was in a state of conflict. I remember feeling that I didn't want to do this since there was too much interaction between the species. I politely said "no."

Continued on page 6

INTERVIEW

Continued from page 4

I never gave a reason to my fellow researcher and I'm not sure if, at the time, I was aware of the reason.

Did you continue in animal research after graduation?

At the time of my first university position I insisted that they build an animal research facility. This center was a pre-condition written into my contract.

What type of research did you perform?

I was working in psychopharmacology using rodents. This involves injecting substances into animals to test the effects. If you look at the size of the syringe used in the injection, on scale it's about the size of a small sword when compared to the rodent. I remember once when injecting a mouse that I made eye contact with the mouse and I got a sense of a feeling of helplessness from the mouse. Eventually,

I got less involved in the laboratory and let my students handle the research until the time I closed the lab.

Webster's dictionary defines "torture" as "any method by which pain is inflicted" and "vivisection" as "to cut while alive." Do you see any connection between the mindset of someone who can perform painful experiments on a conscious animal and someone who performs torture for political purposes or any other reason?

Quite a while after I stopped being involved in animal research, I began to ask "Why and how did I get involved in animal research?" The "why" part came about because of peer pressure and the school environment, but as to how I could do that, and not feel anything at the time, I had to search for the answer. I began to look at the analogy of the training of torturers and the training of researchers. It's done in small acceptable steps with the approval of you peers and your superiors. My premise is that dissection is the starting point on the road to vivisection.

In every society there are so-called "specialty groups" such as soldiers, police officers and the like who feel mandated to do society's "dirty work." Inherent in these groups is a strong sense of "machismo" in that they are strong and able to do what the rest of us aren't. Is this type of feeling prevalent among doctors and researchers in particular?

We definitely developed the feeling that we were special. We knew that we were skilled. Many of these procedures take quite a long time to master, and there is quite a sense of pride in having accomplished them. It was sort of an "us-versus-them" philosophy.

How does the use of medical jargon fit into all of this?

The jargon is constantly changing and is one of the ways to show that you're sophisticated and up-to-date. The other side of this is that the jargon itself further serves to desensitize you to what's going on. For example, psychologists never talk about shock, they talk about "adverse stimuli" or "negatively reinforced response" and animals are never killed in the labs, they are "sacrificed."

And, of course, animals are referred to as "models" or "tools."

That's right. Another area where jargon comes into play is in the writing of research papers. The points get more and

Continued on page 56

If you think
animal research
benefits
you . . .



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Dr. Grant

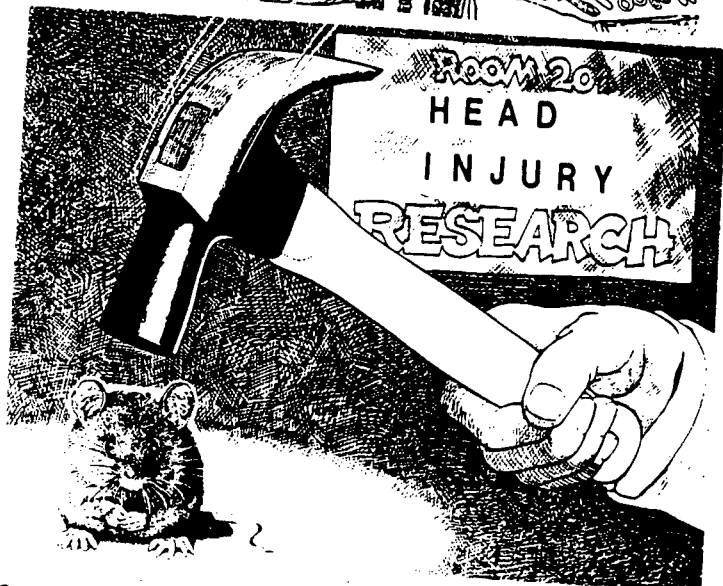
Continued from page 6

more refined until you soon lose track of the big picture. When fellow psychologists would ask about my research and I would begin to explain, their eyes would soon glaze over. There were very few people who understood what I was doing or who could effectively evaluate the value of my research. I don't believe that I was unique in this. The terminology and the methodology got so complex that it was really a separate language that had been developed. In fact, you could identify across the country the five or six researchers who were doing similar research by their jargon alone. They were the sole judge of the merits of that research, and when you applied for grants you wrote to them and you had to use the appropriate jargon and buzzwords in your writing.

What do you feel you achieved in your research endeavors?

As a result of eight to ten years of laboratory research I can honestly say that there was no proof of anything of more than trivial significance. I know that my colleagues will not be very happy to hear that.

In the *New York Times*, May, 1985 an article on torturers stated, "The preconditions that can lead someone to becoming a torturer include a frequently held ideology that defines the believer as a



guardian of social good, an attitude of unquestionable obedience to authority, and the open or tacit support by his peers." Can the word "researcher" be substituted here for the word "torturer" with any validity?

More or less, yes. I can remember people opening letters announcing grant awards very excitedly as if they had won the Academy Award. This was a special mark—it was not just the money, but a special form of recognition. There is that kind of clique feelings among researchers. They're not aware of it but their defense mechanisms would allow them to reject such an analysis. Anyone who tries to make them aware of this would be rejected as a "bleeding heart," "emotional type" or "animal lover."

Psychologist Robert Lifton has described a process called "doubling" whereby people can go about their business inflicting pain on another entity and then, in other areas of their life, be totally normal by societal standards. Are you aware of this "doubling" mechanism in researchers?

No doubt about it. As a matter of fact, we had a pet dog in the laboratory who was a stray that we used to care for. At the same time, this laboratory was doing research on dogs. There was a dichotomy between this stray pet and the animals in the laboratory. The animals in the laboratory were "things," objects to us, whereas we thought of the pet as having a personality.

Do researchers kill the animals themselves at the end of an experiment?

No, that is something that the re-

searchers wouldn't do or see done, including myself. Normally, we would finish and go home for the night and a lab maintenance person would carry out the "sacrificing" and the carting away of dead animals. When I began to phase out animal research in my laboratory, I dismissed the lab assistants and told my students that they would have to "sacrifice" the animals themselves. That brought it to a more personal level for them and it slowed down the pace of research.

Who is in charge in the laboratory?

Well, it's very rare that the principal investigator steps into the laboratory. The objective is to move up to a level where you sit in your office and devise these experiments and then hand them down from on high to your battery of trusted graduate students who actually perform the experiments.

Dr. Grant, given that both torturers and researchers inflict pain on conscious living entities for what they believe to be the "greater good," do you see researchers as being different from the average person?

I don't think so. Of course, there are sadistic researchers and sadistic torturers but on the whole I think that they are products of conditioning types of episodes. The average person can, through conditioning, be converted into something resembling a robot as far as making ethical choices is concerned. Stanley Milgram of Yale did research which showed that average people would administer severe electro-shocks to strangers if given permission to do so in

the name of science by a "white-coated" authority figure. This is also what happens in a research laboratory.


You've seen the film of head injury research that was done on baboons at Genarelli's laboratory at the University of Pennsylvania. What conclusions did you draw from watching the behavior of the researchers such as their making fun of the animals, their joking, and the general party-like atmosphere in the lab?

This lab was considered one of the best in the country. The clowning around that you see the researchers doing is quite common in laboratories, and is common among torturers. I contend that this is a defense mechanism which protects against awareness of what is actually going on. For instance, there is a comment by one of the researchers that the anti-vivisectionists would love to get the film, indicating that awareness is always lurking just beneath the surface. Humor and hiding behind highly intellectualized jargon are just two of the defense mechanisms that I believe people use to protect themselves from having to confront any real emotions about the situation. There is an awareness that something is morally out of place. This pretty much goes on in all laboratories. If the principal investigator were present, there might be an air of more formality, but again, it's rare for them to be in the lab. In any other circumstance, the people seen in the film would probably be shocked and horrified at such behavior.

What can be done about this conditioning?

We have to look at the younger researchers, not as objects of contempt, but with an eye to educating and warning them about the issue of vivisection. I wish now that someone had made me aware that animals suffer in the laboratory and that we should think about this. I daresay that a number of people who became involved in animal research would have drawn the line at that point and backed off.

To sum up, what motivates the researcher? Is it money, peer acceptability, altruism, career advancement, or a combination of all of these?

In the academic world your publications constitute the entree to a variety of options ranging from becoming president of a university, location of your office, how much travel money you receive and so on. Basically, this atmosphere fosters grantmanship. There's an aspect of research that revolves around obtaining money. Certain research is fashionable and there is grant-chasing. The attempt to create fashionable, exciting research to attract publicity is all too prevalent. 

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psychologist Brandon Reines points out, that the most effective approach to the treatment of human mental illness is logical quantitative reasoning from human clinical and epidemiological studies. In the real world, there is no lack of appropriate human 'models' to be observed and studied as the most logical approach to the discovery of the root causes and most effective treatments for human mental disorders.

What Every Mother Knows ...

Even when the psychological response of nonhumans to physical and mental stress is qualitatively similar to that of humans, the experimental results obtained are invariably so trivial, predictable, or already well-established as to be virtually useless. Thus 30 years of maternal deprivation research, involving more than 7000 animals and costing \$57 million of taxpayer money, served only to verify what perceptive clinical psychologists and normal human mothers had already known—that infants who are separated from their mothers experience emotional distress and psychological trauma.

Similarly, research psychologists at New York's City College have 'discovered' that when pigeons are starved to 70% of their normal weight, they eat more food when allowed to do so. The experimenters concluded that 'Prolonged periods of food deprivation are typically followed by an increased responsiveness to food.'

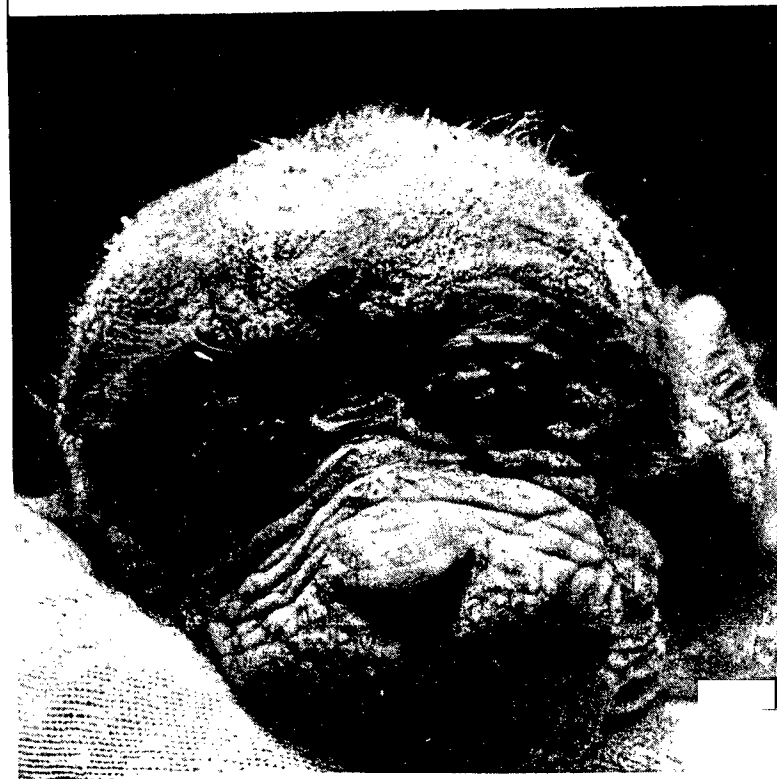
Harry Harlow himself, widely regarded as the father of maternal deprivation experiments, admitted, at the end of his career, that 'most experiments are not worth doing and the data attained are not worth publishing.'

The Role of the APA

In view of the dubious scientific value and extreme animal suffering involved in psychological experiments, one might expect the American Psychological Association, a professional organization of psychologists, to be at the forefront of efforts to reform experimental psychology, particularly since only 2500-3000 of its 63,000 members are involved in research on animals, and a mere 8 per cent of all behavioral studies use animals. The APA, however, has taken an uncompromising stance of support for the vivisection industry, and has demonstrated unremitting hostility toward the efforts of internal reformers and external critics.



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On the Cover: Two rhesus monkeys cling together in terror, victims of just one of many psychological experiments carried out on animals.

Each year, in the U.S. and throughout the world, psychological researchers subject tens of thousands of monkeys, cats, dogs, and rats to a bewildering array of gruesome psychological experiments, ostensibly to provide a 'model' of human neuroses and psychoses, and to study the determinants of human behavior. Here are just a few examples of what is done to animals in the name of science:

★ At Harvard University, experimenters placed dogs in a box divided into compartments by a shoulder-level barrier. Hundreds of electric shocks were delivered to the dogs' feet through a grid floor. After the dogs learned that they could escape the shock by jumping into the other side of the box, the researchers blocked the passage between the compartments with a piece of plate glass, and then observed that the dogs jumped forward and smashed their heads against the glass. Unable to escape, the dogs reacted by defecating, urinating, yelping, shrieking, and trembling, but after ten or twelve days, they ceased to resist the shock. The experimenters concluded that the combination of a plate glass barrier and foot shock was 'very effective' in eliminating jumping of dogs.

★ At the University of Wisconsin, researchers confined newborn rhesus monkeys in total isolation for up to 24 months. They discovered that when the infants were released from their isolation chambers, they suffered from 'emotional shock,' 'extreme withdrawal,' and 'severe depression.'

★ At the University of Pittsburgh, experimenters found that male rats, bulls, monkeys, and water buffalos are stimulated by a change in sexual partners. The researchers observed that human males can be compared to these animals, so far as their sex lives are concerned: 'Many husbands,' stated one experimenter, 'would like to engage in extra-marital affairs.'

★ Experimenters at Princeton University deprived 256 young rats of food and water and watched them die from thirst and starvation. They concluded that under conditions of fatal thirst and starvation young rats are much more active than normal adult rats who are given food and water.

★ At the Primate Research Center in Wisconsin, experimenters reared female monkeys in total isolation and made them pregnant using a 'rape rack' technique. When the babies were born, researchers found that most of the mothers ignored their infants, while others engaged in brutal behavior—crushing the infants' skulls with their teeth or smashing the infants' faces to the floor, then rubbing them back and forth.

Psychology or Pathology?

Is this bizarre research science or is it an elaborate fraud, perpetrated at the expense of its animal victims, the taxpayers who fund it, and human medical advancement?

In experiments like those cited above, it is often difficult to discover any meaningful connection with human mental illness or human behavior. In other cases, the results obtained are so trivial or obvious as to be worthless.

Yet each year in the U.S. and other countries, publicly-funded institutions like the National Institutes of Health, the U.S. Public Health Service, and the National Institute of Mental Health spend millions of dollars on such psychological experiments on animals, while many treatment centers are so short of funds that they must refuse admittance to people in urgent need of psychological treatment and counseling.

The Measure of Man?

Criticism of biomedical research on animals has revealed how few experiments contribute significantly to the conquering of disease or the improvement of human health. The differing biological systems of humans and nonhumans, the artificial and stressful conditions of the research laboratory, and the routinely-ignored nutritional and environmental factors affecting human illness all combine to make extrapolation of results from animal experiments to humans extremely unreliable.

This disparity is even more pronounced with psychological 'models.' Unlike infectious diseases, human *mental* disorders cannot be 'injected' into animals for study. Human mental illness results from a variety of complex environmental, social, and genetic factors. In the artificial world of the animal

research laboratory, none of these factors exist. Psychologists attempt to create models of psychopathology by reproducing in animals only the *symptoms* of these syndromes in human beings. Yet they are not even certain, in many cases, what behavior is symptomatic of each type of mental illness.

Just as psychological research on animals ignores the complexity of the factors causing and affecting human mental illness and behavior, so it often embodies an abysmal ignorance of the parameters and determinants of *nonhuman* animal behavior and psychology. Typical is the conclusion by Harry Harlow, based on studies of infant monkeys, that maternal contact is more important than feeding in establishing the mother-infant bond in humans. Had Harlow been acquainted at all with the behavior of infant monkeys outside the laboratory, he might have realized that contact comfort is far more important to them than to human infants. As Dallas Pratt wryly observes, 'anyone who has watched an infant monkey clinging to its mother as the latter swings through the trees can easily understand why.'

This marked disparity between the determinants of human and nonhuman psychology suggests that the obvious way to study human mental illness and behavior is in human beings. This is confirmed by medical history, which definitively establishes, as



Young People's Page

Schweitzer's 90 Years Of Reverence For Life

Albert Schweitzer's philosophy and lifetime continue to provide inspiration for many NEAVS members, but our younger members may not be familiar with this remarkable man.

During this school year, students who are assigned a book report or term paper should be encouraged to research the life of Dr. Schweitzer. Any library should have adequate information about this man and students visiting or living in the Western Massachusetts area will find a resource center dedicated to Albert Schweitzer.

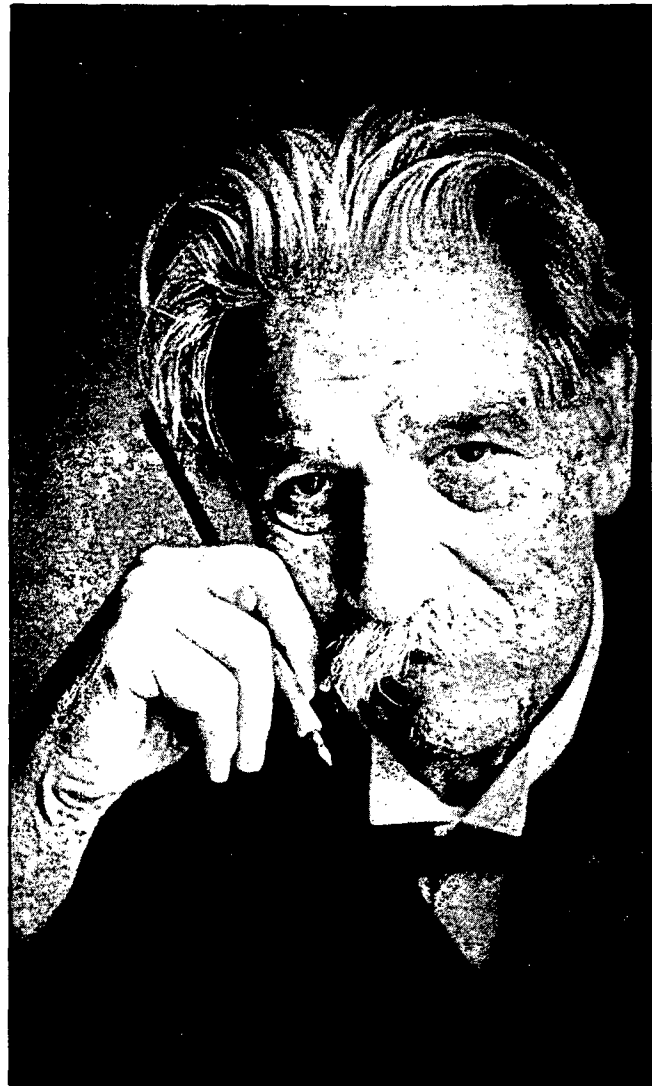
Schweitzer was born in 1875 in Alsace, a region bordered by Germany but now part of France. Because his father was a Protestant preacher, Schweitzer had an early interest in theology and in church music. He was later to earn doctoral degrees in both theology and philosophy and to become a master of the pipe organ and an expert on the music of Bach.

But it was not until he earned his medical degree at age 38 and traveled to Africa to set up a hospital for the natives that he came to the attention of the world as a great thinker and humanitarian. This is not to say that he was unknown earlier in his life. In fact, Schweitzer had become a respected theologian, writer and musician. But it was his efforts to live a life based on his own philosophy that captured the attention of the world. This philosophy required him to do something to repay the world for all the goodness that he had received.

Schweitzer first chose to work for the rehabilitation of prisoners and derelicts but when he saw an ad in the Paris Missionary Society monthly seeking doctors for the African Congo, he realized what his future must be.

Schweitzer's jungle hospital began in an abandoned chicken coop but during the next 52 years of his life, it became a sprawling medical center (although nothing like today's modern medical hospitals) aiding thousands of African natives and European colonials.

It was while traveling up one of the African rivers on an errand of mercy that Schweitzer first formulated his "Reverence for Life" philosophy. The boat was making its way through a herd of hippopotami when Schweitzer realized that "to the man who is truly ethical, all life is sacred including that which from the human point of



Erica Anderson

Albert Schweitzer

view seems lower in the scale."

Schweitzer said, "I rejoice over the new remedies for sleeping sickness, which enable me to preserve life, whereas I had previously to watch a painful disease. But every time I have under the microscope the germs which cause this disease, I cannot but reflect that I have to sacrifice this life to save another. If he (man) has been touched by the ethic (of) Reverence for Life, he injures and destroys life only under a necessity which he cannot avoid and never from thoughtlessness."

Schweitzer spent the remainder of his long life trying to express his philosophy through his lifestyle, his lectures, and his books. In 1952, he was chosen to receive the Nobel Peace Prize. In his later years he would become a vegetarian, would join with Albert Einstein in working for a nuclear test ban treaty, and would endorse a U.S. Senate bill to reduce laboratory animal suffering. In a 1965 letter, one of his last, he wrote to an animal protection group, "I am delighted that you rebel against

the terrible vivisection which is practiced these days. To resist is absolutely necessary. I wish you every success in this undertaking. I am certain, and have always stressed, that the destination of mankind is to become more and more humane. The ideal of humanity has to be revived. Without this ideal we are lost human beings."

Indeed, the life of Albert Schweitzer is one that is worthy of study. We encourage all of our members to do this.

The Albert Schweitzer Center

The Albert Schweitzer Center sits nestled in the Berkshire Mountains in Great Barrington, Mass. It was founded in 1966 by Erica Anderson, Dr. Schweitzer's long-time friend and film biographer. She chose this lovely mountain setting because it so closely resembled Alsace, Schweitzer's childhood home.

In addition to the striking pastoral beauty of this secluded place, one of the first things visitors are likely to notice is the feeling of peace and serenity that accompanies them on their walks through the grounds. In the sanctuary, visitors may sit by the stream and watch the birds, or walk through the willows and read the quotes from Dr. Schweitzer placed here and there along the paths.

The center itself consists of a library, auditorium, visitor's house, museum, and gardens. Overall, it is a resource and teaching center whose purpose is to demonstrate, through its programs and writings, the Schweitzer philosophy of Reverence for Life to young and old alike. The library holds hundreds of pictures, books, photographs, films, newspapers and letters about Dr. Schweitzer. It is the largest collection in the United States and includes African artifacts and some of Schweitzer's personal possessions. The library also publishes *Reverence*, a short journal of Schweitzer's writings, pictures and letters, with occasional essays from contributing authors.

Community activities are held in the auditorium. These include concerts, seminars, and informal discussions. During the summer, the center conducts The Universal Children's Garden. Young people participating in the program, learn about the earth and the Schweitzer philosophy through a hands-on garden project. Respect and compassion for animals is taught in the wildlife sanctuary. Children may also participate in poetry reading, photography, film, dance and music.

The Albert Schweitzer Center is a place well worth visiting. You will come away with your spirit renewed, and your life perhaps a bit more dedicated to keeping alive the Albert Schweitzer philosophy. It is a fitting tribute to such a great man. Information can be obtained by writing or calling the center at Hurlburt Road, Great Barrington, MA 01230, (413) 528-3124.

If you think
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benefits
you . . .



THINK AGAIN!

The cruelty of animal research is an unnecessary evil. Recent developments make animal research obsolete. Other and more precise methods exist and must be used. Many experiments involving whole live animals have and are being replaced by the use of computers and tissue and cell cultures.

For over one hundred years The American Anti-Vivisection Society has been dedicated to educating the public concerning this evil abuse of animals.

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Athena Koutzgo 1654 Mass. Ave. Camb.
John Stamb 100 Queenberry Boston.



City of Cambridge

9.

COUNCILLOR WOLF
COUNCILLOR DUEHAY

IN CITY COUNCIL
February 2, 1987

WHEREAS: An ordinance has been submitted to regulate animal research; and

WHEREAS: There are legitimate concerns that have been raised about the care, pain, and suffering of animals; but

WHEREAS: It is also important to protect the ability of researchers to proceed with basic and applied research which in many cases is geared toward important advances in public health; therefore, it is

ORDERED: That the City Solicitor be asked to draft an animal research ordinance with the following components:

1. The City adopts the NIH guidelines for animal research as City policy.
2. Each institution's animal care committee be required to have a public representative, appointed by the City Manager for a renewable one-year term. That representative is responsible for bi-yearly reports on animal care and reports on any concerns, to be submitted to the Health Commissioner.
3. The Health Commissioner be responsible for receiving and investigating any complaints that relate to concerns about lack of compliance with NIH guidelines.
4. Each institution be required to send a copy of its NIH or NIH equivalent reports and any reports required by State agencies to the Health Commissioner and Animal Commission and that these documents become a public record.

2/2/87 - CHARTER RIGHTED BY
COUNCILLOR DUEHAY.

2/9/87 - TABLED ON MOTION OF
VICE-MAYOR VELLUCCI,
ON ROLL CALL OF
8-1-0.

5/11/87 - PLACED ON FILE.
(DRAFT ANIMAL RESEARCH
ORDINANCE SUBMITTED
IN COMPLIANCE WITH
CONTENT OF THIS ORDER)

The Health Commissioner be required to work with such institutions and with concerned citizens to devise and implement educational programs which will (a.) increase public understanding of how animals are treated in these facilities and for what purposes animals are used for research, and (b.) increase institutions' awareness of public concern for the humane treatment of animals.

6. The Health Commissioner be required to organize and coordinate periodic visits for the concerned public to the laboratories of institutions doing animal research.

City of Cambridge

MASSACHUSETTS

In City Council

Feb. 9 1987

*Vice Mayor Vellucci - Motion to Table Charter Right # 4 Re:
Order by Councilors Wolf and Duehay on Animal Experimentation*

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf		✓		
Mayor Walter J. Sullivan	✓			

8 1

Comm-Hse on Ordinance

Present Councillor William H. Walsh - Presiding; 9/15/87

6 P.M.

- (1) C. Ullman
- (2) C. Wolf
- (3) C. J. Sullivan
- (4) C. Dushay 6:06 P.M.
- (5) C. Graham 6:44 P.M.
- (6) C. Russell 7:18 P.M.

C. Walsh

Asked each person to limit remarks to 3 minutes to allow everyone to speak.

C. Ullman

I believe Comb. knows how to deal w/ its problems. This looks like a scheme like 1976.

6:02 P.M.

Peter Mead
MIT Student

6:05 P.M.

Supports ordinance pending;
before the Council

Edward McNulty
Upland Rd.

Spoke against proposed ordinance
Also spoke of past experience
w/ cancer and experiments
done which resulted in hi

6:10 P.M.

Case.

John McCordle
178 E. Central St.
Natick MA.

Supports ordinance and stated
he identified a number of
experiments going on @ M.I.T.

6:26 P.M.

Faculty Member
MIT

Responded to previous speaker.
His comments were untrue.
Laws should be based on
fact not rhetoric.

C. Vell.

Ques. would this man would
be against or in favor your protocol

Louise Linsley
55 Vassar St

Supports ordinance, it would
help public informed.

C. Dushay

Ques. § 11-34 pg. 3 - Annual
Commission being, in charge of
granting permits for experiments

How much its staff would be
required

Mr. Linsley

Some structure would be required. City staff would have to educate the people.

This ordinance is a result of too much secrecy w/in the institutions and organizations which conduct experiments.

6:41 P.M.

Jerry Letwin M.D.
& Blackard Rd

opposed to ordinance. We gather knowledge upon which to make decisions.

C. Ullmer

I'm not a scientist and I love animals. If anyone wants to amend this they should make their feelings known.

C. Graham

This issue has been before us for over a year, Dr. Letwin should have known.

Dr. Letwin

asked C/C to defer action on this ordinance

7:18 P.M.

Dr. Nancy Molyneux
183 Marlborough St.
Boston, Ma.

Supports
~~Supports~~ proposed
ordinance
Read prepared statement.

7:25 P.M.

Dr. Edward Newman
5 Williard St.
Cambridge.

Opposed to proposed
ordinance. I had cancer
and am free of it today.

7:31 P.M.

Dr. Gul Agha
1654 MASS AVE.

Supports proposed ordinance
It develops structure for
regulation and reporting.

C. Dwyer

Ques. requests for
protocols being ignored.
He, FHD, believed otherwise

''

Ques. Agha's comments
re: experiments going on
@ M.I.T and his knowledge
of inhumane actions

Dr. Agha

No knowledge of inhumane
treatment, but students are
conducting experiments.

8:07 P.M.

C. D. Durbay

3

Spent much time thinking, reading, and listening, regarding this issue. Visited Lab 12. However I disagree w/ the approach of Dr. Ogden.

My conclusions are different from C. Vellner's but this is a very important issue.

Concerned w/ citizens being appointed to make these complex decisions.

Spoke on behalf of the proposal offered by him and C. Wolf.

We need to move slowly and methodically

8:31 P.M.

C. Vellner

I will stand by the Committee For Responsible Research

* C. Durbay

Agreed to both ordinances. We referred to the full C/C w/o recommendation

RUV

Adj: 8:44 P.M.

THOSE WISHING TO SPEAK IN OPPOSITION
OF THE PROPOSED ORDINANCES

<u>NAME</u>	<u>ADDRESS</u>	<u>AFFILIATION</u>
Edward McNulty	67 Ypsalw Road Cant.	Cambridge resident
Jerome Lettvin	8 Blanchard Rd	MIT

THOSE WISHING TO SPEAK IN FAVOR
OF THE PROPOSED ORDINANCES

- ✓ Peter Mead 50 Mass Ave Camb
- #2 ✓ John McCardle 170A E Central St Wobick
- ✓ Lawrence Lidsky 55 Vassar St MIT
- Breda J Hintle 23 Jackson St Camb
- Annette French 196 Auburn Camb
- Karen Sapolsky
- Martha Armstrong
- ✓ Gul Agha 1654 Mass Ave Camb
- Steven Wise 896 ~~Church~~^{Beacon} St ~~Woburn~~ Boston
- Roberta Kalechovsky 255 Humphrey Marblehead
- Laura Yenne 27 Magnolia Ave Camb.
- Steven Matherly 73 Marshall St. Somerville
- Patricia Murray 24 Prescott Ave. Camb.
- Dr Nancy Mroczek 183 Marlboro St. ~~East~~ Boston

WITNESSES TO TESTIFY AGAINST THE PROPOSED ORDINANCE

- 1 ✓ Mr. Ed McNulty ✓
- Ms. Alta LaPointe
- Ms. Doris Whelan
- Ms. Meg Manderson
- 2 ✓ Mr. Justin Slate
- Dr. Lee Kaplan
- Ms. Lisa Calloway
- Ms. Nancy Hendland
- 3 ✓ Dr. Edwin Newman
- 4 ✓ Ms. Ineke Grunberger
- 5 ✓ Mr. Brendan Fitzgerald
- Mr. Don Latulippe
- 6 ✓ Mrs. Rita Corkery
- Ms. Barbara Boucher

Please
call by
numerical
order

witnesses not
checked haven't
arrived yet.

WITNESSES TO TESTIFY AGAINST THE PROPOSED ORDINANCE

Mr. Ed McNulty

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Ms. Meg Manderson

Mr. Justin Slate

Dr. Lee Kaplan

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Ms. Nancy Hendland

Dr. Edwin Newman

Ms. Ineke Grunberger

Mr. Brendan Fitzgerald

Mr. Don Latulippe

Mrs. Rita Corkery

Ms. Barbara Boucher

VMU
Amendment #1

AMENDMENT

to the proposed Ordinance for the
Care and Use of Laboratory Animals in Cambridge

DELETE Section 11.34.b its entirety.

INSERT Section 11.34.b as follows:

"A three person Panel appointed by the City shall conduct a review of all painful experiments in which anesthesia, analgesia, and tranquilizers used are not adequate to alleviate pain or distress at all times. The Panel shall make recommendations to the City for approving the animal care and shall promote alternative techniques where appropriate.

The Panel shall consist of the following individuals:

- One individual to be appointed in cooperation with the research institutions.
- One individual to be appointed in cooperation with local animal protection groups.
- One veterinarian to be appointed with the approval of both of the other panelists.

A U/D



City of Cambridge

2.

IN CITY COUNCIL

June 29, 1987

VICE-MAYOR VELLUCCI

ORDERED: That the attached Ordinance for the Care and Use of Laboratory Animals in the City of Cambridge be accepted and referred to the Committee on Ordinances for review and public hearing, and further that copies be furnished to all City Councillors for their review and comment and suggestions.

In City Council June 29, 1987.
Adopted by the affirmative vote of 9 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

Joseph E. Connarton
ATTEST:-

Joseph E. Connarton, City Clerk.

City Of Cambridge

In the Year One Thousand, Nineteen Hundred and Eighty-Seven

AN ORDINANCE

In amendment to an Ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "the Code of the City of Cambridge."

Be it ordained by City Council of the City of Cambridge

Chapter Eleven entitled: "Health, Hospitals and Housing" is hereby amended by inserting the following article:

ARTICLE IV ORDINANCE FOR THE CARE AND USE OF LABORATORY ANIMALS IN THE CITY OF CAMBRIDGE

Section 11-30. DEFINITIONS

In the context of this Ordinance the following definitions are adopted:

- (a) An animal is any nonhuman vertebrate.
- (b) An experiment is any procedure conducted by a research institution on a live animal.
- (c) A painful experiment is an experiment that involves significant pain or distress to the animal. This shall include but not be limited to such experiments as:
 - (1) Deliberate induction of behavioral stress, loss of sight, the Draize eye irritancy test, or similar debilitation to test its effect;
 - (2) Surgical procedures such as the invasion and exposure of body cavities, orthopedics, or dental work, and those that result in significant post-operative pain or distress;
 - (3) Induction of an anatomic or physiological deficit which will result in pain or distress;
 - (4) Application of noxious stimuli such as trauma or electric shock from which escape is impossible;

- (5) Prolonged periods of physical restraint;
 - (6) Deprivation studies such as those withholding food, water, sleep, or maternal contact for infants;
 - (7) Induction of aggressive, self-mutilating, or psychotic behavior;
 - (8) Toxicity studies, radiation sickness, burns, and stress research; and,
 - (9) Killing by inhumane means.
- (d) A research institution is any facility or facilities operated in the City of Cambridge, or any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine, or agricultural, medical, biological, or diagnostic laboratory, biological corporation, hospital or other educational or scientific establishment within the City of Cambridge which in connection with any of its activities investigates or gives instruction concerning the structure and function of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals, or participates in the development, marketing, or testing of any commercial product utilizing live animals.
- (e) The Animal Commission is as created by Ordinance No. 897 of the Code of the City of Cambridge and any amendments thereof, or its designated agents.

Section 11-31 REGISTRATION

Each research institution shall register with the Animal Commission of the City of Cambridge (hereinafter "Animal Commission") within ninety days of the enactment of this Ordinance or the first day of conducting experiments in Cambridge.

Section 11-32 REPORTING REQUIREMENTS

- (a) On June 30 and December 31 of each year each research institution shall file a report with the Animal Commission that sets forth the type, number and source of animals used in the preceding six months.
- (b) On March 31, June 30, September 30 and December 31 of each year, each research institution shall file with the Animal Commission copies for the preceeding quarter of the following:

- (1) minutes of all meetings of the Animal Care Committee required by Section 11-36,
- (2) any reports relating to or affecting experiments which a research institution or an Animal Care Committee is required to submit to a federal or state agency pursuant to a federal or state statute or regulation or in connection with a funding request, and
- (3) protocols of all painful experiments approved by the Animal Care Committee.

If any copies required under clauses (1), (2) or (3) contain a trade secret, a description that includes specific information about the nature and purpose of the material or process may be substituted for the trade secret. Said copies may also delete any confidential financial information entitled to protection under Section 11-39(a)(2).

Section 11-33 GUIDELINES FOR ANIMAL EXPERIMENTS

All experiments in the City of Cambridge shall be undertaken in conformity with the current Guide for the Care and Use of Animals of the National Institutes of Health and succeeding revised editions thereof, Animal Welfare Act (7 U.S.C. Sections 2131, *et seq*) and federal regulations pursuant to the act, Public Health Service Policy on Humane Care and Use of Laboratory Animals as amended from time to time, statutes and regulations of the Commonwealth of Massachusetts, and ordinances and regulations of the City of Cambridge.

Section 11-34 GUIDELINES FOR PAINFUL EXPERIMENTS

- (a) Each research institution shall continuously monitor the pain and distress of each animal and shall alleviate such pain or distress except to the extent that said pain or distress has been described in the protocol.
- (b) Each research institution shall obtain prior written approval of the Animal Commission before conducting any painful experiment in which anesthesia, analgesia, and tranquilizers used are not adequate to alleviate pain or distress at all times. Such permission shall be granted only if the experiment is judged to yield significant information about

a serious disease or illness afflicting humans or animals such as cancer, heart disease, arthritis, or diabetes, and if no alternatives are available.

Section 11-35 TRAINING OF PERSONNEL

Each person involved in the care or use of animals at a research institution shall successfully complete a training program approved by the Animal Commission that teaches the requirements set forth in Sections 11-33 and 11-34.

Section 11-36 ANIMAL CARE COMMITTEES

Each research institution shall have an Animal Care Committee which shall ensure compliance with provisions of this Ordinance.

- (a) The Animal Care Committee shall be broad-based in its composition and include at least one member unaffiliated with the research institution who shall be appointed by the Animal Commission in cooperation with local animal welfare groups. Said member shall serve at the Animal Commission's pleasure and shall represent the community's concerns about the welfare of animals.
- (b) All members of the Animal Care Committee shall have unrestricted access to all areas in which animals are housed or used in experiments and to protocols of all experiments, subject only to such limitations as have been given prior approval in writing by the Animal Commission.
- (c) A description of all experiments conducted at the research institution shall be provided to the Animal Care Committee. Said description shall include the number and species of animals killed during or after each experiment and the cause of their death.
- (d) No painful experiment shall be performed without the prior written approval of the Animal Care Committee. Such approval shall be given only if appropriate anesthesia, analgesics and tranquilizers are required by the protocol and there are no less painful alternatives.
- (e) Each Animal Care Committee shall keep accurate minutes of its deliberations. Said minutes shall include information provided under subsections (c) and (d).

Section 11-37 COMMUNITY ETHICAL STANDARDS

The Animal Commission shall delineate the community's ethical standards for the use of animals in experiments in order to aid its determinations and to assist Animal Care Committees in their deliberations.

Section 11-38 INSPECTIONS AND INVESTIGATIONS

- (a) The Animal Commission shall:
 - (1) Conduct periodic unannounced site visits to research institutions to ensure compliance with this Ordinance, and
 - (2) Investigate alleged violations of this Ordinance.
- (b) Each research institution shall produce all documents requested by the Animal Commission in order to carry out its inspections and investigations.
- (c) Each research institution shall provide complete access to the Animal Commission in order for the Animal Commission to carry out its inspections and investigations.

Section 11-39 TRADE SECRETS

- (a) It shall be unlawful for any member of an Animal Care Committee to release any confidential information of the research institution including information that concerns or relates to:
 - (1) the trade secrets; or,
 - (2) the identity, confidential statistical data, amount or source of income, profits, losses, or expenditures of the research institution.

Notwithstanding clauses (1) or (2), no information relating to or affecting the treatment of animals by the research institution including information about any violations of the provisions of this Ordinance shall be deemed to be confidential information of the research institution.

(b) It shall be unlawful for any member of the Animal Care Committee to:

- (1) use or attempt to use to his or her financial advantage; or
- (2) reveal to any other person any information which is entitled to protection as confidential information under subsection (a).

(c) A violation of subsections (a) or (b) shall be punishable by:

- (1) removal from such Committee; and
- (2) a fine of not more than \$500 or, if the violation is willful, a fine of not more than \$2,000.

Section 11-40 VIOLATIONS

Amend #2
AVI

Any research institution that violates this Ordinance shall be punished by a fine of not less than one hundred dollars and not more than two hundred fifty dollars per violation per day. The Director of the Animal Commission may order closed any research institution that engages in repeated violations of this Ordinance and seize and board or euthanize at the expense of the research institution the animals affected. The Director of the Animal Commission or any charitable corporation whose purposes include the protection of the welfare of animals may bring suit in the Superior Court to enjoin any violations of this Ordinance and to enforce its provisions and shall receive reasonable attorney's fees if it is a prevailing party.

Section 11-41 SEVERABILITY OF SECTIONS

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

City Of Cambridge

In the Year One Thousand, Nineteen Hundred and Eighty-Seven

AN ORDINANCE

In amendment to an Ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "the Code of the City of Cambridge."

Be it ordained by City Council of the City of Cambridge

Chapter Eleven entitled: "Health, Hospitals and Housing" is hereby amended by inserting the following article:

ARTICLE IV

ORDINANCE FOR THE CARE AND USE OF LABORATORY ANIMALS IN THE CITY OF CAMBRIDGE

Section 11-30. DEFINITIONS

In the context of this Ordinance the following definitions are adopted:

- (a) An animal is any nonhuman vertebrate.
- (b) An experiment is any procedure conducted by a research institution on a live animal.
- (c) A painful experiment is an experiment that involves significant pain or distress to the animal. This shall include but not be limited to such experiments as:
 - (1) Deliberate induction of behavioral stress, loss of sight, the Draize eye irritancy test, or similar debilitation to test its effect;
 - (2) Surgical procedures such as the invasion and exposure of body cavities, orthopedics, or dental work, and those that result in significant post-operative pain or distress;
 - (3) Induction of an anatomic or physiological deficit which will result in pain or distress;
 - (4) Application of noxious stimuli such as trauma or electric shock from which escape is impossible;

- (5) Prolonged periods of physical restraint;
 - (6) Deprivation studies such as those withholding food, water, sleep, or maternal contact for infants;
 - (7) Induction of aggressive, self-mutilating, or psychotic behavior;
 - (8) Toxicity studies, radiation sickness, burns, and stress research; and,
 - (9) Killing by inhumane means.
- (d) A research institution is any facility or facilities operated in the City of Cambridge, or any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine, or agricultural, medical, biological, or diagnostic laboratory, biological corporation, hospital or other educational or scientific establishment within the City of Cambridge which in connection with any of its activities investigates or gives instruction concerning the structure and function of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals, or participates in the development, marketing, or testing of any commercial product utilizing live animals.
- (e) The Animal Commission is as created by Ordinance No. 897 of the Code of the City of Cambridge and any amendments thereof, or its designated agents.

Section 11-31 REGISTRATION

Each research institution shall register with the Animal Commission of the City of Cambridge (hereinafter "Animal Commission") within ninety days of the enactment of this Ordinance or the first day of conducting experiments in Cambridge.

Section 11-32 REPORTING REQUIREMENTS

- (a) On June 30 and December 31 of each year each research institution shall file a report with the Animal Commission that sets forth the type, number and source of animals used in the preceding six months.
- (b) On March 31, June 30, September 30 and December 31 of each year, each research institution shall file with the Animal Commission copies for the preceding quarter of the following:

- (1) minutes of all meetings of the Animal Care Committee required by Section 11-36,
- (2) any reports relating to or affecting experiments which a research institution or an Animal Care Committee is required to submit to a federal or state agency pursuant to a federal or state statute or regulation or in connection with a funding request, and
- (3) protocols of all painful experiments approved by the Animal Care Committee.

If any copies required under clauses (1), (2) or (3) contain a trade secret, a description that includes specific information about the nature and purpose of the material or process may be substituted for the trade secret. Said copies may also delete any confidential financial information entitled to protection under Section 11-39(a)(2).

Section 11-33 GUIDELINES FOR ANIMAL EXPERIMENTS

All experiments in the City of Cambridge shall be undertaken in conformity with the current Guide for the Care and Use of Animals of the National Institutes of Health and succeeding revised editions thereof, Animal Welfare Act (7 U.S.C. Sections 2131, *et seq*) and federal regulations pursuant to the act, Public Health Service Policy on Humane Care and Use of Laboratory Animals as amended from time to time, statutes and regulations of the Commonwealth of Massachusetts, and ordinances and regulations of the City of Cambridge.

Section 11-34 GUIDELINES FOR PAINFUL EXPERIMENTS

- (a) Each research institution shall continuously monitor the pain and distress of each animal and shall alleviate such pain or distress except to the extent that said pain or distress has been described in the protocol.
- (b) A three person Panel appointed by the City shall conduct a review of all painful experiments in which anesthesia, analgesia, and tranquilizers used are not adequate to alleviate pain or distress at all times. The Panel shall make recommendations to the City for approving the animal care and shall promote alternative techniques where appropriate.

The Panel shall consist of the following individuals:

- One individual to be appointed in cooperation with the research institutions.
- One individual to be appointed in cooperation with local animal protection groups.

- One veterinarian to be appointed with the approval of both of the other panelists.

Section 11-35 TRAINING OF PERSONNEL

Each person involved in the care or use of animals at a research institution shall successfully complete a training program approved by the Animal Commission that teaches the requirements set forth in Sections 11-33 and 11-34.

Section 11-36 ANIMAL CARE COMMITTEES

Each research institution shall have an Animal Care Committee which shall ensure compliance with provisions of this Ordinance.

- (a) The Animal Care Committee shall be broad-based in its composition and include at least one member unaffiliated with the research institution who shall be appointed by the Animal Commission in cooperation with local animal welfare groups. Said member shall serve at the Animal Commission's pleasure and shall represent the community's concerns about the welfare of animals.
- (b) All members of the Animal Care Committee shall have unrestricted access to all areas in which animals are housed or used in experiments and to protocols of all experiments, subject only to such limitations as have been given prior approval in writing by the Animal Commission.
- (c) A description of all experiments conducted at the research institution shall be provided to the Animal Care Committee. Said description shall include the number and species of animals killed during or after each experiment and the cause of their death.
- (d) No painful experiment shall be performed without the prior written approval of the Animal Care Committee. Such approval shall be given only if appropriate anesthesia, analgesics and tranquilizers are required by the protocol and there are no less painful alternatives.
- (e) Each Animal Care Committee shall keep accurate minutes of its deliberations. Said minutes shall include information provided under subsections (c) and (d).

Section 11-37 COMMUNITY ETHICAL STANDARDS

The Animal Commission shall delineate the community's ethical standards for the use of animals in experiments in order to aid its determinations and to assist Animal Care Committees in their deliberations.

Section 11-38 INSPECTIONS AND INVESTIGATIONS

- (a) The Animal Commission shall:
 - (1) Conduct periodic unannounced site visits to research institutions to ensure compliance with this Ordinance, and
 - (2) Investigate alleged violations of this Ordinance.
- (b) Each research institution shall produce all documents requested by the Animal Commission in order to carry out its inspections and investigations.
- (c) Each research institution shall provide complete access to the Animal Commission in order for the Animal Commission to carry out its inspections and investigations.

Section 11-39 TRADE SECRETS

- (a) It shall be unlawful for any member of an Animal Care Committee to release any confidential information of the research institution including information that concerns or relates to:
 - (1) the trade secrets; or,
 - (2) the identity, confidential statistical data, amount or source of income, profits, losses, or expenditures of the research institution.

Notwithstanding clauses (1) or (2), no information relating to or affecting the treatment of animals by the research institution including information about any violations of the provisions of this Ordinance shall be deemed to be confidential information of the research institution.

(b) It shall be unlawful for any member of the Animal Care Committee to:

- (1) use or attempt to use to his or her financial advantage; or
- (2) reveal to any other person any information which is entitled to protection as confidential information under subsection (a).

(c) A violation of subsections (a) or (b) shall be punishable by:

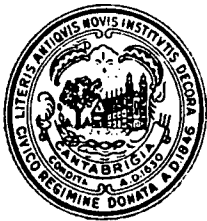
- (1) removal from such Committee; and
- (2) a fine of not more than \$500 or, if the violation is willful, a fine of not more than \$2,000.

Section 11-40 VIOLATIONS

Any research institution that violates this Ordinance shall be punished by a fine of not less than one hundred dollars and not more than two hundred fifty dollars per violation per day. The Director of the Animal Commission may seize and board or euthanize at the expense of the research institution the animals affected. The Director of the Animal Commission or any charitable corporation whose purposes include the protection of the welfare of animals may bring suit in the Superior Court to enjoin any violations of this Ordinance and to enforce its provisions and shall receive reasonable attorney's fees if it is a prevailing party.

Section 11-41 SEVERABILITY OF SECTIONS

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.



City of Cambridge

In the Year One Thousand, Nine Hundred and Eighty-Seven

AN ORDINANCE

In amendment to an Ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Eleven entitled "Health, Hospitals and Housing" is hereby amended by inserting the following article:-

ARTICLE IV THE CARE AND USE OF LABORATORY ANIMALS IN THE CITY OF CAMBRIDGE

Section 11-30. Definitions

In the context of this Ordinance the following definitions are adopted:

- (a) An animal is any vertebrate nonhuman sentient being.
- (b) An experiment is any procedure conducted by a research institution on a live animal.
- (c) A research institution is any institution operation in the City of Cambridge by the United States or by the Commonwealth of Massachusetts or a political sub-division thereof, or any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine, or agricultural, medical, biological, or diagnostic laboratory, biological corporation, hospital or other educational or scientific establishment within the Commonwealth of Massachusetts which in connection with any of its activities investigates or gives instruction concerning the structure and function of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals.

Section 11-31. Guidelines for Animal Experimentation

All experiments on animals in the City of Cambridge shall be undertaken in conformity with the Guide for the Care and Use of Laboratory Animals, NIH Pub. No. 85-23, 1985 edition or succeeding revised editions (the Guide), the Public Health Service Policy on Humane Care and Use of Laboratory Animals (September, 1986 and as amended from time to time) (the PHS Policy), and applicable statutes and regulations of the Commonwealth of Massachusetts and ordinances and regulations of the City of Cambridge.

Section 11-32. Animal Care Committee

All research institutions shall have an Institutional Animal Care and Use Committee (the "Animal Care Committee" or "Committee") as mandated by the Guide and the PHS Policy. Each Animal Care Committee shall have a public representative, unaffiliated with the research institution, who shall be appointed by the Cambridge City Manager. The public representative shall serve as a representative of community interest in the welfare of animals.

Section 11-33. The Commissioner of Health and Hospitals

The Commissioner of Health and Hospitals of the City of Cambridge (the Commissioner) shall be responsible for receiving and investigating complaints which relate to lack of compliance with the Guide or the PHS Policy.

Section 11-34. Educational Programs

The Commissioner shall work with research institutions and concerned citizens to devise and implement educational programs which will (a) increase public understanding of how animals are treated in these institutions and for what purposes animals are used for research, and (b) increase institutions' awareness of public concern for the humane treatment of animals.

Section 11-35. Reports

Regarding any reports relating to animal research which a research institution or an Animal Care Committee is required to submit to a federal or state agency pursuant to the Guide, the PHS Policy or any federal or state statute or regulation, the institution or Committee shall send a copy of such report to the Commissioner and the Cambridge Animal Commission.

Each Animal Care Committee shall also send a copy of the minutes of its meetings to the Commissioner and to the Cambridge Animal Commission.

Section 11-37. Severability

If any section, sub-section, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

City Of Cambridge

In the Year One Thousand, Nineteen Hundred and Eighty-Seven

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Be it ordained by City Council of the City of Cambridge

Chapter Eleven entitled: "Health, Hospitals and Housing" is hereby amended by inserting the following article:

ARTICLE IV ORDINANCE FOR THE CARE AND USE OF LABORATORY ANIMALS IN THE CITY OF CAMBRIDGE

Section 11-30. DEFINITIONS

In the context of this Ordinance the following definitions are adopted:

- (a) An animal is any nonhuman vertebrate.
- (b) An experiment is any procedure conducted by a research institution on a live animal.
- (c) A painful experiment is an experiment that involves significant pain or distress to the animal. This shall include but not be limited to such experiments as:
 - (1) Deliberate induction of behavioral stress, loss of sight, the Draize eye irritancy test, or similar debilitation to test its effect;
 - (2) Surgical procedures such as the invasion and exposure of body cavities, orthopedics, or dental work, and those that result in significant post-operative pain or distress;
 - (3) Induction of an anatomic or physiological deficit which will result in pain or distress;
 - (4) Application of noxious stimuli such as trauma or electric shock from which escape is impossible;

- (5) Prolonged periods of physical restraint;
 - (6) Deprivation studies such as those withholding food, water, sleep, or maternal contact for infants;
 - (7) Induction of aggressive, self-mutilating, or psychotic behavior;
 - (8) Toxicity studies, radiation sickness, burns, and stress research; and,
 - (9) Killing by inhumane means.
- (d) A research institution is any facility or facilities operated in the City of Cambridge, or any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine, or agricultural, medical, biological, or diagnostic laboratory, biological corporation, hospital or other educational or scientific establishment within the City of Cambridge which in connection with any of its activities investigates or gives instruction concerning the structure and function of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals, or participates in the development, marketing, or testing of any commercial product utilizing live animals.
- (e) The Animal Commission is as created by Ordinance No. 897 of the Code of the City of Cambridge and any amendments thereof, or its designated agents.

Section 11-31 REGISTRATION

Each research institution shall register with the Animal Commission of the City of Cambridge (hereinafter "Animal Commission") within ninety days of the enactment of this Ordinance or the first day of conducting experiments in Cambridge.

Section 11-32 REPORTING REQUIREMENTS

- (a) On June 30 and December 31 of each year each research institution shall file a report with the Animal Commission that sets forth the type, number and source of animals used in the preceding six months.
- (b) On March 31, June 30, September 30 and December 31 of each year, each research institution shall file with the Animal Commission copies for the preceeding quarter of the following:

- (1) minutes of all meetings of the Animal Care Committee required by Section 11-36,
- (2) any reports relating to or affecting experiments which a research institution or an Animal Care Committee is required to submit to a federal or state agency pursuant to a federal or state statute or regulation or in connection with a funding request, and
- (3) protocols of all painful experiments approved by the Animal Care Committee.

If any copies required under clauses (1), (2) or (3) contain a trade secret, a description that includes specific information about the nature and purpose of the material or process may be substituted for the trade secret. Said copies may also delete any confidential financial information entitled to protection under Section 11-39(a)(2).

Section 11-33 GUIDELINES FOR ANIMAL EXPERIMENTS

All experiments in the City of Cambridge shall be undertaken in conformity with the current Guide for the Care and Use of Animals of the National Institutes of Health and succeeding revised editions thereof, Animal Welfare Act (7 U.S.C. Sections 2131, *et seq*) and federal regulations pursuant to the act, Public Health Service Policy on Humane Care and Use of Laboratory Animals as amended from time to time, statutes and regulations of the Commonwealth of Massachusetts, and ordinances and regulations of the City of Cambridge.

Section 11-34 GUIDELINES FOR PAINFUL EXPERIMENTS

- (a) Each research institution shall continuously monitor the pain and distress of each animal and shall alleviate such pain or distress except to the extent that said pain or distress has been described in the protocol.
- (b) A three person Panel appointed by the City shall conduct a review of all painful experiments in which anesthesia, analgesia, and tranquilizers used are not adequate to alleviate pain or distress at all times. The Panel shall make recommendations to the City for approving the animal care and shall promote alternative techniques where appropriate.

The Panel shall consist of the following individuals:

- One individual to be appointed in cooperation with the research institutions.
- One individual to be appointed in cooperation with local animal protection groups.

- One veterinarian to be appointed with the approval of both of the other panelists.

Section 11-35 TRAINING OF PERSONNEL

Each person involved in the care or use of animals at a research institution shall successfully complete a training program approved by the Animal Commission that teaches the requirements set forth in Sections 11-33 and 11-34.

Section 11-36 ANIMAL CARE COMMITTEES

Each research institution shall have an Animal Care Committee which shall ensure compliance with provisions of this Ordinance.

- (a) The Animal Care Committee shall be broad-based in its composition and include at least one member unaffiliated with the research institution who shall be appointed by the Animal Commission in cooperation with local animal welfare groups. Said member shall serve at the Animal Commission's pleasure and shall represent the community's concerns about the welfare of animals.
- (b) All members of the Animal Care Committee shall have unrestricted access to all areas in which animals are housed or used in experiments and to protocols of all experiments, subject only to such limitations as have been given prior approval in writing by the Animal Commission.
- (c) A description of all experiments conducted at the research institution shall be provided to the Animal Care Committee. Said description shall include the number and species of animals killed during or after each experiment and the cause of their death.
- (d) No painful experiment shall be performed without the prior written approval of the Animal Care Committee. Such approval shall be given only if appropriate anesthesia, analgesics and tranquilizers are required by the protocol and there are no less painful alternatives.
- (e) Each Animal Care Committee shall keep accurate minutes of its deliberations. Said minutes shall include information provided under subsections (c) and (d).

Section 11-37 COMMUNITY ETHICAL STANDARDS

The Animal Commission shall delineate the community's ethical standards for the use of animals in experiments in order to aid its determinations and to assist Animal Care Committees in their deliberations.

Section 11-38 INSPECTIONS AND INVESTIGATIONS

- (a) The Animal Commission shall:
 - (1) Conduct periodic unannounced site visits to research institutions to ensure compliance with this Ordinance, and
 - (2) Investigate alleged violations of this Ordinance.
- (b) Each research institution shall produce all documents requested by the Animal Commission in order to carry out its inspections and investigations.
- (c) Each research institution shall provide complete access to the Animal Commission in order for the Animal Commission to carry out its inspections and investigations.

Section 11-39 TRADE SECRETS

- (a) It shall be unlawful for any member of an Animal Care Committee to release any confidential information of the research institution including information that concerns or relates to:
 - (1) the trade secrets; or,
 - (2) the identity, confidential statistical data, amount or source of income, profits, losses, or expenditures of the research institution.

Notwithstanding clauses (1) or (2), no information relating to or affecting the treatment of animals by the research institution including information about any violations of the provisions of this Ordinance shall be deemed to be confidential information of the research institution.

(b) It shall be unlawful for any member of the Animal Care Committee to:

- (1) use or attempt to use to his or her financial advantage; or
- (2) reveal to any other person any information which is entitled to protection as confidential information under subsection (a).

(c) A violation of subsections (a) or (b) shall be punishable by:

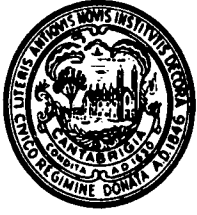
- (1) removal from such Committee; and
- (2) a fine of not more than \$500 or, if the violation is willful, a fine of not more than \$2,000.

Section 11-40 VIOLATIONS

Any research institution that violates this Ordinance shall be punished by a fine of not less than one hundred dollars and not more than two hundred fifty dollars per violation per day. The Director of the Animal Commission may seize and board or euthanize at the expense of the research institution the animals affected. The Director of the Animal Commission or any charitable corporation whose purposes include the protection of the welfare of animals may bring suit in the Superior Court to enjoin any violations of this Ordinance and to enforce its provisions and shall receive reasonable attorney's fees if it is a prevailing party.

Section 11-41 SEVERABILITY OF SECTIONS

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

April 13, 1987

To the Honorable, the City Council:

With reference to City Council Order No. 3 of September 29, 1986, I transmit herewith communications received from the Commissioner of Health and Hospitals and the Director of the Animal Commission relative to animal research being conducted in Cambridge.

Also enclosed is a copy of a substitute ordinance.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Encs.

Agenda Item No. 2

Re: reports enclosed from the Commissioner of Health & Hospitals & Director of the Animal Commission & a copy of a substitute ordinance on animal research.

*copy sent to Councilman Walsh,
Chairman Ordinance Committee
4/24/87 wih*

IN City Council,

April 13, 1987

*Referred to the hearing
4/13/87 and to the
Ordinance Committee*



City of Cambridge

2.

IN CITY COUNCIL

June 29, 1987

VICE-MAYOR VELLUCCI

ORDERED: That the attached Ordinance for the Care and Use of Laboratory Animals in the City of Cambridge be accepted and referred to the Committee on Ordinances for review and public hearing, and further that copies be furnished to all City Councillors for their review and comment and suggestions.

In City Council June 29, 1987.
Adopted by the affirmative vote of 9 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:- *Joseph E. Connarton*

Joseph E. Connarton, City Clerk.

Order # 2

0-59A *Calendar #3*

VM Vellucci order re: that the attached Ordinance for the Care and Use of Laboratory Animals in the City of Cambridge be accepted & referred to the Ordinance Committee for review & public hearing.

12/28/87 - Placed on file without prejudice on Order #2 of 12/8/87

3/28/88 - Pursuant to Order #32 of this date, submitted by Mayor Vellucci, this item was pulled from the files of the City Clerk & placed on the Table. Commencing 4/4/88, the wording of the Mayor's order (which is filed within) was used to describe this & a second Animal Ordinance which was also pulled from the files via the Mayor's Order. Both proposed ordinance amendments remained on the Calendar through January 30, 1989, at which time they were placed in City Council, on file, pursuant to

June 29, 1987

Calendar Item #22 of 1/30/89 being on file alternately upon Calendar Items without prejudice, subject to resubmittal

*VMU
v/v
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*Copy sent to Council on Welsh Ord.
Comm. Chair 7/31/87*