



# 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, <sup>JEC</sup> 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



# 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**

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.



# City of Cambridge

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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

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.

**3. IDENTIFICATION OF ANIMALS REQUIRED FOR THE STUDY**

Identify each species and strain of animal required for the study. Enter each strain separately, indicate the supplier of the animals including the facility from which the animals will be obtained. If the animals are to be transferred from another ADL case indicate the ACPC# under supplier. The total number of animals must include extra animals ordered for randomization. The maximum number of days the animals will be housed must include quarantine interval.

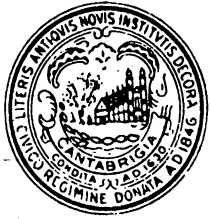
Species/Strain/ Approx Wt Range To Be Used	Supplier, including Facility	Total # To Be Obtained	Avg # Housed Per Day	Maximum # Days Housed

Other Specifications: \_\_\_\_\_

Special Requirements for Animal Care: \_\_\_\_\_

Date(s) Needed: \_\_\_\_\_





CITY OF CAMBRIDGE

ANIMAL CARE & CONTROL  
57 INMAN STREET  
CAMBRIDGE, MASSACHUSETTS 02139  
498-9041

MARK W. McCABE  
Director

CAPTAIN HENRY W. BREEN  
Cambridge Police Department

MELVIN CHALFEN, MD  
Commissioner  
Health and Hospitals

Members:  
JOHN CORCORAN  
ELLEN KIRCHHEIMER  
MICHAEL KLEIN  
PAUL PURCELL

On February 10, 1987 I received a telephone call from Dr. John Moses, Chairman of the Animal Care Committee at M.I.T. He explained that he was trying to summarize the work going on at M.I.T. and put it in lay man's terms. He also requested that this information remain confidential. This was in reply to the letter sent on February 2, 1987.

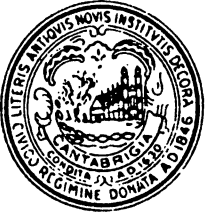
On February 11, 1987, Dr. John Moses called the office and explained that summarizing all the ongoing research was more work than he thought and asked if a meeting would be sufficient in reply to the February 2nd letter.

On February 11, 1987 I had a meeting with Dr. John Moses and Ron Seduka. At this meeting Dr. Moses explained the make up and function (see enclosure B) of the Animal Care Committee at M.I.T. and examples of protocol review. Dr. Moses also supplied me with a protocol review form which would be submitted by an investigator who wants to utilize animals in research. A similar protocol form is utilized by Arthur D. Little, Inc. (see enclosure C).

On March 16, 1987 I had a meeting with Andrew Sivak, Ph.D. of Arthur D. Little, Inc. He explained the function and make up of the Animal Care Committee. He also offered a tour of the animal facilities at some further date.

On March 27, 1987 I received an order from the City Council (see copy D enclosed) which requested the same information from the industries and institutions that I had requested in my letter of February 2, 1987.

A letter (see copy E enclosed) was hand delivered to each of the institutions and industries listed, except for Harvard University, Genetics Institute and Advanced Magnetics, on April 1, 1987. T Cells industries replied immediately on April 1 asking for clarification of what the City Council requested. They were informed that one description of a procedure if it was used many times for a particular research project would be sufficient. They said they would comply with the order but it would take longer than the April 6th deadline. Dr. C. Richard Taylor from Harvard University called on April 3, 1987 and reported that they were going to try and get the information requested but because of legal problems, they may need some more time.



CITY OF CAMBRIDGE

ANIMAL CARE & CONTROL  
57 INMAN STREET  
CAMBRIDGE, MASSACHUSETTS 02139  
498-9041

MARK W. McCABE  
Director

CAPTAIN HENRY W. BREEN  
Cambridge Police Department

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Commissioner  
Health and Hospitals

Members:  
JOHN CORCORAN  
ELLEN KIRCHHEIMER  
MICHAEL KLEIN  
PAUL PURCELL

Enclosure A

In order to help the Animal Commission respond to the enclosed Cambridge City Council order, we would appreciate the following information:

1. Copies of all accepted research proposals or testing conducted on animals submitted during the prior year.
2. Copies of minutes from the animal care committee meetings in the last year and reports of any inspections conducted by the committee.

If questions of confidentiality and trade secrets arise, please do your best to include whatever information possible (leaving out specific compositions of chemicals, etc.). Our interest is not in the specific compounds used, but a general description of the substances and the experiments' purpose would suffice.

Finally, we ask that you enclose as detailed a response as possible to the following question. Do you feel that the currently proposed ordinance for the care and use of laboratory animals will inhibit medical research? If so, why? Specific references to language in the ordinance are requested. Point out which clauses are problematic and why. Especially helpful would be any suggested language that might rectify the problem.

Due to our need to compile our report as soon as possible, we must ask that a response reach us no later than February 13, 1987. Please contact us (498-9041) with any questions or comments you have.

Thanking you in advance for your cooperation in this matter.

Yours truly,

Mark W. McCabe  
Director Animal Commission



MASSACHUSETTS INSTITUTE OF TECHNOLOGY  
COMMITTEE ON ANIMAL CARE  
CAMBRIDGE, MASSACHUSETTS 02139

**PROGRAM FOR THE CARE AND USE OF ANIMALS**

**I. Purpose and Objectives of the Program**

The Animal Care Program (Program) has been conceived in the interest of promoting optimal care and management of all animals used in the conduct of research. In the pursuit of this goal, ethical and moral concern for all living things shall guide implementation of the Program. In meeting the objectives of the program, there shall be recognition of the value of meaningful research itself in the promotion of human and animal welfare, the benefits of reduction in animal use in scientific investigation when the quality of the research shall not be compromised, and enhancement of the quality of research through high standards of veterinary care. The Program shall be guided by the Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research and Training prepared by the Interagency Research Animal Committee for adoption by the Public Health Service in 1985. The Program shall also serve to bring about and maintain compliance with standards and requirements which may be imposed or recommended by extramural regulatory agencies.

**II. Organization and Implementation of the Program**

A. The Program shall be implemented through the activities of the Committee on Animal Care (CAC) and the Division of Comparative Medicine (DCM). It shall be governed by the Policies and Procedures of MIT.

B. The CAC shall function with the scrutiny and guidance of the Provost and Vice President for Research (VP). CAC policies and procedures shall be subject to the jurisdiction of that office.

C. The members of the CAC shall be appointed by the President of MIT (P) upon recommendation of the VP. All reports from the CAC shall be made available to the VP for transmittal to the P. The CAC shall report on its activities to the P twice annually and this report shall incorporate all information mandated by NIH and other governmental agencies.

D. The CAC shall be subject to review and shall receive recommendations from the VP with respect to all of its activities, but shall be autonomous in its function of approval or disapproval of research activities. Any action taken by the CAC which would suspend research activities should be reported both to the P through the VP as well as

those offices of the NIH which require that such reports be made.

### III. Structure of the Committee on Animal Care.

A. Members of the CAC shall be appointed by the President of MIT at the recommendation of the Vice President for Research.

B. The CAC shall be comprised of no less than 9 members and shall include the following:

- John Moses*
1. A Chairman, who will be a person employed by MIT who has knowledge and experience in research and a concern for animal welfare.
  2. Two members employed by MIT who are actively engaged in research using animals.
  3. One member employed by MIT who is not engaged in research or animal care.
  4. Two members who are not employed by MIT (and have no other affiliation with the Institute) who have an interest in research and the welfare of animals.
  5. Two members from DCM, who are veterinarians.
  6. Other members who may be appointed to bring additional experience or viewpoints to the CAC but will not create a membership in excess of 15.

### IV. Meetings of the Committee on Animal Care

A. Meetings shall be held at least every 2 months.

B. A quorum shall consist of a simple majority of the membership. Written proxy participation may serve to establish a quorum when sufficient members are unable to attend meetings.

C. Approval of issues considered by the Committee during its meetings shall require a majority of those attending when a quorum is present.

D. When conflict of interest occurs in the deliberations of the CAC during its meetings, members in conflict shall be disqualified from voting and will not be included in the calculation of a quorum.

E. Minutes of each meeting shall be distributed to the entire membership before the next subsequent meeting and shall require approval at that meeting.

## V. Functions and Methods of the Committee on Animal Care

### A. Surveillance of the use and management of animals:

1. All research and instructional proposals which require the use of animals shall receive approval of the CAC before final approval by the Office of Sponsored Programs or by the departmental chairman before the scheduled teaching exercise.

2. Approval by the CAC shall be based on information provided by the principal investigator or the instructor to the DCM describing the purpose of the research or instructional project, the methods involving animals, and measures to insure the humane treatment of animals. The conditions requiring approval and information provided by the investigator or instructor shall comply with the requirements of the NIH in such matters

### B. Mechanisms of approval for research and instructional activities using animals:

1. Expedited Review (ER) shall be activated when more than 50 days will intervene between request for approval and the next scheduled meeting or when urgency for review exists. ER will require consideration for interim approval by one member who is a veterinarian and the Chairman of the CAC or his designee in his absence. Whether or not approval results, all projects considered by ER shall be presented to the CAC at its next meeting and the Committee's action shall determine the final status of the project with respect to CAC approval.

2. Committee Review (CR) shall be given when the CAC membership has had the opportunity to review the proposal and has voted during a meeting (or by mail inquiry of the entire membership) to approve or disapprove the protocol. Proxy votes may be submitted when members are unable to attend meetings and proxy votes shall be considered in establishing a quorum for the issue to which the proxy is directed as long as conflict of interest has not been established by the Chairman.

3. Recommendation for approval or disapproval of projects shall be solicited from the veterinary members of the Committee for the benefit of the other members, but all projects requiring the use of animal shall be reviewed by a veterinarian who is a member of the Committee and/or the Chairman within 7 days of request for approval of the project. This scrutiny shall be informational, advisory in nature when appropriate, but shall not constitute either ER or CR action.

## C. Categories of Proposals

1. Three categories of protocols shall be established by preliminary review (section V, B, 3):

Category I - This category includes proposals which on preliminary screening suggest practices which are problematic because of questionable appropriateness of the proposed procedures (e.g. multiple survival surgery, excessive numbers of animals, painful or cruel procedures, or use in teaching) or practices for which there is no Committee precedent. Some of these may have received approval or disapproval by Expedited Review.

Category II - This category includes proposals which are not problematic as judged by the preliminary screening and have received Expedited Review.

Category III - This category includes proposals which are not problematic (e.g. routine immunization, acute experiments which are not painful in which tissues are harvested, onetime surgical procedures in which pain and suffering are not at risk) and which do not demand urgent action because of deadlines.

2. Category I and II protocols shall be presented in appropriate detail to the Committee at its regular meetings, but Category III proposals may be summarized briefly before consideration of approval by the CAC.

## D. Extramural Research

1. When research involving the use of animals is funded partially or completely through MIT, the CAC shall assume the usual obligation including review and approval of the MIT Protocol Review Form, even when the work is carried out entirely or in part at another institution, when animals are purchased and/or housed at another institution, and regardless of the source of revenues for purchase and/or housing of those animals.

2. When research involving the use of animals is funded entirely through another institution, but a portion or all of the work and/or housing of the animals is carried out at MIT, the CAC shall assume the usual obligations including review and approval of the MIT Protocol Review Form.

3. When research involving the use of animals is funded entirely through another institution, and collaboration

with MIT does not demand that any portion of the work or housing of animals takes place at MIT, the CAC may accept the approval of a similar committee of the other institution without further review.

#### VI. Educational Activities of the Committee on Animal Care

The CAC will organize and sponsor training programs suitable for research investigators, technicians and instructors at all levels designed to promote attitudes and techniques which enhance compassionate treatment and technical expertise in the conduct of those activities which use animals. It shall also oversee those instructional activities designed to promote knowledge in animal husbandry.

#### VII. Surveillance Activities of the Committee on Animal Care

A. Facilities housing animals used or to be used within the confines of MIT for research or instructional purposes shall be visited by at least three members of the CAC at least once annually and a report of the findings shall be submitted for approval by the entire Committee at its regular meetings.

B. Laboratory visitations shall be made by at least three members of the CAC on a regular basis with an effort to visit each laboratory engaged in research using animals within an eighteen month period. Prearrangement of such visits shall be commonplace, but not mandatory. A report to the entire membership shall be made at the regular meeting of the CAC following the visit.

C. All reports of governmental agencies conducting official visits to animal facilities at MIT shall be presented to the CAC at its regular meetings.

D. Twice annually the CAC shall solicit broad input with respect to the quality of animal care through publication of such solicitation in media distributed widely at MIT.

E. The CAC will consider any information brought to its attention which bears on the adequacy of animal care at MIT.

1. Revelation of the source of such information shall be withheld by omitting the name or other identifying information which might reveal the source, during the deliberation of the CAC.

2. Information bearing on the adequacy of animal care shall be submitted to the VP of MIT, the Chairman of the CAC, or any of its members, all of whom shall assure privacy in the transmission of such information for consideration by the CAC through its Chairman.

# PROTOCOL REVIEW FORM

Protocol Number \_\_\_\_\_

Date Submitted \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Date DCM Approved \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Date CAC Approved \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

USDA Pain Category \_\_\_\_\_

(For office use only)

PLEASE TYPE OR PRINT CLEARLY

### I. GENERAL INFORMATION

DATE SUBMITTED: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

A. PRINCIPAL INVESTIGATOR NAME: \_\_\_\_\_ DEPT: \_\_\_\_\_

B. OFFICE EXT: \_\_\_\_\_ LAB EXT: \_\_\_\_\_ HOME PHONE NO. IN CASE OF EMERGENCY: \_\_\_\_\_

C. OTHER PERSONNEL INVOLVED: \_\_\_\_\_

D. TITLE OF PROPOSAL: \_\_\_\_\_

E. AGENCY FUNDING THIS PROJECT: \_\_\_\_\_

F. PERIOD OF TIME TO BE COVERED BY GRANT: FROM: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ TO: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

### II. WRITE A BRIEF DESCRIPTION OF THE PURPOSE OF THE STUDY

**PLEASE NOTE: A SUBSTANTIAL CHANGE IN PROTOCOL, AN INCREASE IN THE NUMBER OF ANIMALS USED OR A CHANGE IN THE ANIMAL SPECIES USED, WILL NECESSITATE THAT THIS FORM BE RESUBMITTED.**

### III. SPECIES INFORMATION

A. ANIMAL SPECIES TO BE USED a: \_\_\_\_\_ b: \_\_\_\_\_ c: \_\_\_\_\_ d: \_\_\_\_\_

B. ESTIMATED NUMBER OF ANIMALS OF EACH SPECIES

TO BE USED IN THIS STUDY a: \_\_\_\_\_ b: \_\_\_\_\_ c: \_\_\_\_\_ d: \_\_\_\_\_

TO BE HOUSED PER DAY a: \_\_\_\_\_ b: \_\_\_\_\_ c: \_\_\_\_\_ d: \_\_\_\_\_

#### C. CHECK FOR EACH SPECIES WHEN APPLICABLE:

a b c d 1. RATIONALE FOR USE OF ANIMALS:

\_\_\_ \_\_\_ \_\_\_ \_\_\_ Studies involve analysis of a process/mechanism that cannot be reconstructed in vitro.

\_\_\_ \_\_\_ \_\_\_ \_\_\_ Studies cannot or should not be undertaken in humans.

\_\_\_ \_\_\_ \_\_\_ \_\_\_ Other, explain \_\_\_\_\_

2. APPROPRIATENESS OF THE SPECIES:

\_\_\_ \_\_\_ \_\_\_ \_\_\_ Demonstrated similarity of the process under study to that in humans.

\_\_\_ \_\_\_ \_\_\_ \_\_\_ Large amount of relevant data already has been derived from species.

\_\_\_ \_\_\_ \_\_\_ \_\_\_ Manipulations required for the experiment (e.g., surgery) require an animal greater than \_\_\_\_\_ in size.

\_\_\_ \_\_\_ \_\_\_ \_\_\_ Other, explain \_\_\_\_\_

3. NUMBERS USED:

\_\_\_ \_\_\_ \_\_\_ \_\_\_ To establish statistical significance of experimental results.

\_\_\_ \_\_\_ \_\_\_ \_\_\_ To obtain sufficient biological materials to permit the studies proposed.

\_\_\_ \_\_\_ \_\_\_ \_\_\_ Other, explain \_\_\_\_\_

**IV. WRITE A BRIEF DESCRIPTION OF THE PROTOCOL (Include any particular husbandry requirements, such as special diet or housing.)**

**V. SPECIAL QUESTIONS**

A. What relevant training have the personnel of this project had in conducting animal experimentation? \_\_\_\_\_

Principal investigator: \_\_\_\_\_

Associate investigator(s): \_\_\_\_\_

Technician(s): \_\_\_\_\_

Student(s): \_\_\_\_\_

B. Are any animal restraint devices used in this project? \_\_\_\_\_

YES\_\_\_ NO\_\_\_

If "yes", what method and duration? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

C. Is surgery to be performed? \_\_\_\_\_

YES\_\_\_ NO\_\_\_

Is any other manipulation to be performed which would lead to pain or other discomfort which alters well being? \_\_\_\_\_

YES\_\_\_ NO\_\_\_

(If the answer to either of these is "yes", complete Surgical Report/Invasive Procedures section, pages 4 and 5)

Is more than one survival surgical procedure proposed for any animal in this study? \_\_\_\_\_

YES\_\_\_ NO\_\_\_

If "yes", provide justification for multiple survival surgery \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

D. How will the animal be euthanized? \_\_\_\_\_

\_\_\_\_\_

E. Are radionuclides to be used? \_\_\_\_\_

YES\_\_\_ NO\_\_\_

If "yes", indicate Radiation Protection Office approval # \_\_\_\_\_

F. Are biohazards involved in this study? \_\_\_\_\_

YES\_\_\_ NO\_\_\_

If "yes", date of Committee on Assessment of Biohazards approval \_\_\_\_\_

G. Will any aspect of the animal experimentation in this study be conducted at another institution? \_\_\_\_\_

YES\_\_\_ NO\_\_\_

Describe the facility and the nature and duration of this activity \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

H. Signature of Principal investigator: \_\_\_\_\_

/ /

date

# SURGICAL REPORT/INVASIVE PROCEDURES

(this form must be completed if answer to V-C is "yes")

## VI. GENERAL INFORMATION

- A. INDIVIDUAL(S) RESPONSIBLE FOR SURGERY & POSTOPERATIVE CARE: \_\_\_\_\_  
\_\_\_\_\_
- B. LAB EXT: \_\_\_\_\_ HOME PHONE NO. IN CASE OF EMERGENCY: \_\_\_\_\_
- C. CHECK LETTER CORRESPONDING TO SPECIES USED:    \_\_\_\_\_ a    \_\_\_\_\_ b    \_\_\_\_\_ c    \_\_\_\_\_ d

## VII. EXPERIMENTAL DESIGN

- A. PREANESTHETICS: \_\_\_\_\_
- B. ANESTHETIC AGENT(S): \_\_\_\_\_
- C. DOSAGE: \_\_\_\_\_
- D. FREQUENCY OF DOSAGE (e.g., daily, weekly): \_\_\_\_\_
- E. ROUTE OF ADMINISTRATION: \_\_\_\_\_

## VIII. SURGICAL PROCEDURE: (Please provide detailed information and attach additional pages if necessary.)

(continued on page 5)

**SURGICAL REPORT/INVASIVE PROCEDURES (continued)**

**VIII. SURGICAL PROCEDURE (continued):**

**IX. POSTOPERATIVE CARE:**

**X. DESCRIBE THE DAILY CARE AND MAINTENANCE PROCEDURES OF SURGICALLY IMPLANTED DEVICES:**

**XI. DESCRIBE ANY NONSURGICAL PROCEDURES THAT ARE PAINFUL OR STRESSFUL TO THE ANIMALS:**



ASSURANCE OF COMPLIANCE WITH PHS POLICY ON HUMANE  
CARE AND USE OF LABORATORY ANIMALS BY AWARDEE INSTITUTIONS

Arthur D. Little, Inc., hereinafter referred to as "institution," hereby gives assurance that it will comply with the Public Health Service Policy on Humane Care and Use of Laboratory Animals by Awardee Institutions, hereinafter referred to as "PHS Policy."

I. Applicability

This assurance is applicable to all research, research training, and biological testing activities, hereinafter referred to as "activities," involving live, vertebrate animals supported by the Public Health Service (PHS) and conducted at this institution, or at another institution as a consequence of the subgranting or subcontracting of a PHS-supported activity by this institution. Institution includes all branches and major components of Arthur D. Little, Inc. (at the time of submission of this Statement of Assurance, no branches or major components exist).

II. Institutional Policy

- A. This institution will comply with all applicable provisions of the Animal Welfare Act and other Federal statutes and regulations to animals.
- B. This institution is guided by the U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research and Training.
- C. This institution acknowledges and accepts responsibility for the care and use of animals involved in activities covered by this assurance. As partial fulfillment of this responsibility this institution will make a reasonable effort to ensure that all individuals involved in the care and use of laboratory animals understand their individual and collective responsibilities for compliance with this assurance as well as all other applicable laws and regulations pertaining to animal care and use.
- D. This institution has established and will maintain a program for activities involving animals in accordance with the Guide for the Care and Use of Laboratory Animals (Guide).

Instructions:  
Please submit 4 copies of the entire application, protocol and any authorization forms and 6 copies of page 1.  
Application must be typed.

For ARC Use Only

ACPC# \_\_\_\_\_

Date: \_\_\_\_\_

ANIMAL RESEARCH COMMITTEE  
Application to Use Vertebrate Animals in Research

1. STUDY IDENTIFICATION

Date: \_\_\_\_\_ Case/Prospect Number: \_\_\_\_\_

Investigator: \_\_\_\_\_ Ext. \_\_\_\_\_

Case Leader (if different) \_\_\_\_\_ Ext. \_\_\_\_\_

Title of Protocol: \_\_\_\_\_

Proposed Starting Date: \_\_\_\_\_ Anticipated Duration: \_\_\_\_\_

2. DESCRIPTION OF STUDY PROTOCOL

Based on the ARC categories of experimental procedures, indicate under which category this protocol falls. Category \_\_\_\_\_

Will any of the following hazardous materials be used on this study:

	Yes or No?	Authorization No.
Radioisotopes	_____	_____
Infectious Agents	_____	_____
Hazardous Chemical Agents	_____	_____

Briefly identify and describe all non surgical manipulations or procedures involving the animals stating the order and frequency in which they will be performed. Describe and provide rationale for all manipulations or procedures indicated below. Identify all test and control materials and briefly describe any safety procedures which may be required. Continue on back if needed.



4. IDENTIFICATION OF PERSONNEL RESPONSIBLE FOR CARE OF ANIMALS

The case leader is responsible for the standards of animal husbandry, humane care, of animals, and safety of all involved personnel.

Identify other staff member(s) responsible for observing animals daily and reporting ill or injured animals to the ACPC.

Staff Member	Ext.	Staff Member	Ext.

5. ACCEPTANCE OF RESPONSIBILITY

I, the undersigned, accept responsibility for assuring that this study will be conducted in accordance with the Animal Welfare Act, the Guide for the Care and Use of Laboratory Animals, applicable federal and state laws and the regulations, standard operating procedures, and policies of the Animal Research Committee of Arthur D. Little, Inc. with regard to humane care and protection of laboratory animals involved in this study.

I agree to request in writing and obtain written approval from the Animal Research Committee prior to making any changes effecting the categorization of the animal research protocol described in this application. I also agree to promptly notify the committee, in writing, of any emergent problems which may arise in the course of this study, including adverse side effects.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Responsible Investigator

ARC Review Comments:

Application Approved By:  
Signature \_\_\_\_\_

Date \_\_\_\_\_

ARC Committee Review and Approval

Date: \_\_\_\_\_

Signatures of Reviewers:

ANIMAL RESEARCH COMMITTEE  
CLASSIFICATION OF PROTOCOLS INVOLVING THE USE OF ANIMALS

<u>Category</u>	<u>Definition</u>
1.	Experiments which are expected to cause only negligible pain or distress and do not involve the use of radioactive materials, biohazards, chemical hazards, surgical procedures or any change in the standard animal care or housing procedures.
2.	Experiments carried out on anesthetized animals which do not subsequently wake up from anesthesia and/or involve the use of radioactive materials, biohazards or chemical hazards or those that require a change in the standard animal care or housing procedures.
3.	Procedures carried out under anesthesia or with pain relieving medication in which the animal will wake up and be treated with a painkiller.
4.	Experiments on unanesthetized animals, some of whom can be expected to undergo severe prolonged illness or distress. Procedures carried out under anesthesia or with pain relieving medication in which the animal will wake up and not be treated with a painkiller.

PROCEDURES FOR REVIEW OF APPLICATIONS TO USE VERTEBRATE  
ANIMALS IN RESEARCH

Applications to Use Vertebrate Animals in Research (Applications) will be reviewed at a regularly scheduled meeting of a quorum of the Animal Research Committee (ARC). Preliminary approval of an Application can be granted by a majority vote of the Subcommittee for Application Review (SFAR) provided that no ARC member requests a full committee review. The SFAR will be comprised of at least 3 members appointed by the ARC Chairman. No ARC or SFAR member may participate in the review or approval of an application in which the member has a conflicting interest (e.g., is personally involved in the conduct of the project). Final approval of Applications is granted by a majority of a quorum of the ARC.

Applications are submitted by the Investigator to the Manager, Laboratory Animal Care (Manager). The Manager reviews the Application for completeness and returns incomplete applications to the Investigator for modification. Copies of complete applications are distributed to the SFAR and abstracts (page 1 of the Application) are distributed to the other members of the ARC.

The ARC members review the abstract. If additional information or review are desired an ARC member may request that the SFAR disapprove the Application until such time as it can be discussed by the entire ARC at the next scheduled meeting. Such requests are directed to the SFAR through the Manager. The SFAR will inform the Investigator of this request in writing. Preliminary approval by the ARC will be assumed if no response is received from any ARC member within one week and the SFAR will proceed with its review of the application.

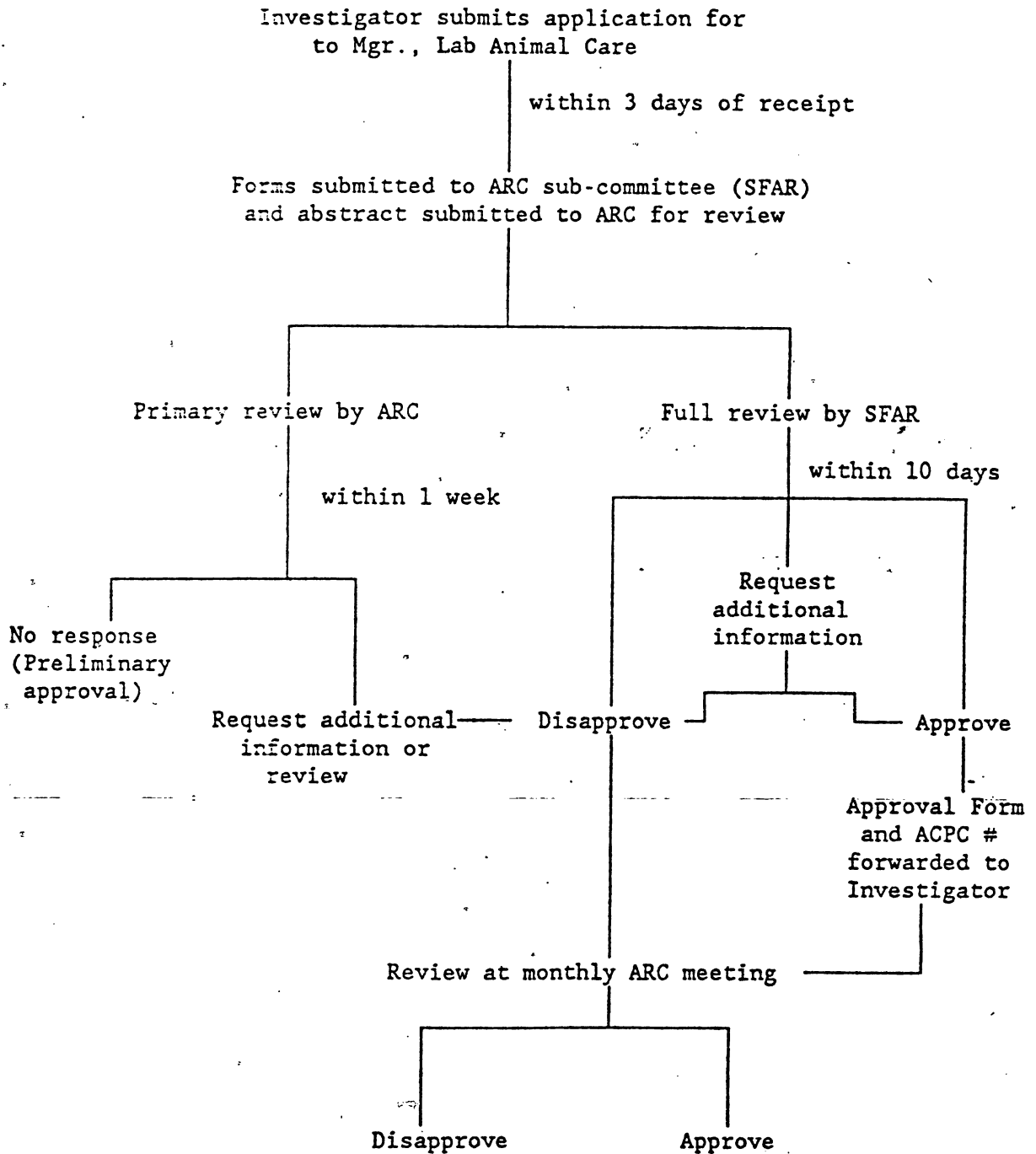
The SFAR reviews the Application for completeness and assures that the procedures for animal care and use are consistent with the ARU Standard Operating Procedures and ARC policy. SFAR members discuss the Application (in person and/or by telephone conversation) to approve or disapprove the Application or to request additional information from the Investigator as needed. The Investigator receives written notification of the SFAR's decision about the Application via the Manager.

Approved Applications are assigned an ACPC# by the Manager which will allow the purchase of animals and the initiation of the study. Approved Applications are subjected to further review by the ARC at the next regularly scheduled meeting where final ARC approval is requested. If approval by the full ARC is not awarded, use of these animals must be suspended until such time as the ARC approves the Application.

Disapproved Applications are discussed at the next regularly scheduled meeting of the ARC at which time the Investigator may be requested to provide further information or to make certain modifications in the procedures. A modified Application must be resubmitted and entered into the review process. If the ARC decides to withhold approval of an Application, it shall include in its notification a statement of the reasons for its decision and give the Investigator an opportunity to respond in person or in writing. Approved applications are assigned an ACPC# by the Manager which will allow the purchase of animals and the initiation of the study.

The ARC shall conduct continuing review of applications not less than every 12 months and may suspend an activity that it previously approved if it determines that the activity is not being conducted in accordance with the original application, the applicable sections of the Animal Welfare Act and/or the Standard Operating Procedures or policy of the ARC. The ARC may suspend an activity only after review of the matter at a convened meeting of a quorum of the ARC and with the suspension vote of a majority of the quorum present.

FLOW DIAGRAM FOR REVIEW OF PROTOCOLS BY THE ANIMAL RESEARCH COMMITTEE



ARC- Animal Research Committee

SFAR- Subcommittee for Application Review

ACPC#- Animal Research Committee Approval Number

ANIMAL CARE POLICY COMMITTEE

Surgical Report

1. (a) Principal Investigator \_\_\_\_\_  
Unit \_\_\_\_\_ Extension \_\_\_\_\_

(b) Surgeon \_\_\_\_\_  
Unit \_\_\_\_\_ Extension \_\_\_\_\_

(c) Surgical Assistants \_\_\_\_\_  
\_\_\_\_\_

2. Where will the surgical procedure be performed? \_\_\_\_\_  
\_\_\_\_\_

3. Is the surgical procedure acute or survival? \_\_\_\_\_

4. (a) Surgical procedure (name) \_\_\_\_\_

(b) Animal species \_\_\_\_\_

(c) Pre-anesthetics (state dose and route of administration) \_\_\_\_\_  
\_\_\_\_\_

(d) Anesthetic agent(s) (state dose and route of administration) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(e) Intraoperative anesthetic monitoring \_\_\_\_\_  
\_\_\_\_\_

(f) Description of surgical procedure (please be specific with respect to anatomic detail, suture patterns and material, and implanted devices).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Post-operative care.

- (a) Who will be responsible for providing post-operative care and observing the animal?

Name \_\_\_\_\_ Extension \_\_\_\_\_

- (b) Are there any surgically-induced complications in this procedure?

\_\_\_\_\_

- (c) Who is responsible for making decisions if unexpected post-surgical complications occur?

Name \_\_\_\_\_ Extension \_\_\_\_\_

- (d) Is normal eating, drinking, or physical movement likely to be impaired beyond the immediate post-surgical period? \_\_\_\_\_  
If yes, identify the expected abnormality and its duration.

\_\_\_\_\_

- (e) What replacement or maintenance fluids will be provided to the animal? Indicate amount, frequency, and route of administration.

\_\_\_\_\_

\_\_\_\_\_

- (f) What antibiotic protocol, if any, will be indicated.

\_\_\_\_\_

\_\_\_\_\_

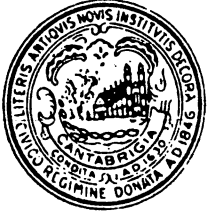
- (g) What analgesic will be administered if necessary? (state dose, route, and frequency).

\_\_\_\_\_

\_\_\_\_\_

6. What method of euthanasia will be used at the end of the study.

\_\_\_\_\_



CITY OF CAMBRIDGE

ANIMAL CARE & CONTROL  
57 INMAN STREET  
CAMBRIDGE, MASSACHUSETTS 02139  
498-9041

MARK W. McCABE  
Director

CAPTAIN HENRY W. BREEN  
Cambridge Police Department

MELVIN CHALFEN, MD  
Commissioner  
Health and Hospitals

Members:  
JOHN CORCORAN  
ELLEN KIRCHHEIMER  
MICHAEL KLEIN  
PAUL PURCELL

Enclosure E

As per order of the Cambridge City Council (see enclosure), I am requesting:

1. Copies of all approved protocols for the last year on experiments involving warm-blooded animals in Cambridge.
2. Copies of minutes from the Animal Care Committee's meeting during the last year.

Please contact the Animal Commission's office (498-9041) on or before April 6, 1987 as to your intentions in complying with this order and the time required to gather this information.

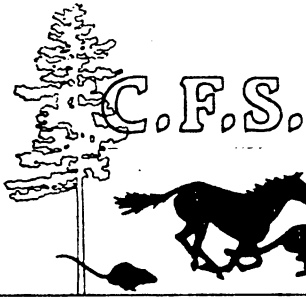
All information forwarded to the Cambridge Animal Commission will be confidentially directed to the Cambridge City Council.

Very truly yours,

Mark W. McCabe  
Director Animal Commission

Enclosure

MWM: dam



Copies of Replies

HARVARD UNIVERSITY

OLD CAUSEWAY ROAD · BEDFORD, MASSACHUSETTS 01730 · TEL. 617 275-1725

February 18, 1987

Mark W. McCabe  
Director Animal Commission  
Animal Care and Control  
57 Inman Street  
Cambridge, MA 02139

Dear Mr. McCabe:

In reply to your letter of January 26, 1987 the information that you are requesting has already been supplied to Dr. Melvin Chalfen. You are certainly welcome to access this information from him.

Please let me know if I can be of any further assistance.

Sincerely,

C. Richard Taylor

CRT:bw  
cc: Robert W. Healy, City Manager



March 2, 1987

Mr. Robert Healy  
City Manager  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Dear Mr. Healy:

We received a letter dated January 26, 1987 from the Director of the Cambridge Animal Commission asking for (1) "copies of all accepted research proposals or testing conducted on animals submitted during the prior year" and (2) "copies of minutes from animal care committee meeting in the last year and reports of any inspections conducted by the committee". We note that this request is made pursuant to an Order of the City Council dated September 29, 1986 requesting the City Manager to ask the Commissioner of Health and Hospitals and the Animal Commission to provide any available information (emphasis added) regarding (a) evidence that animal research being conducted in Cambridge is unnecessarily cruel to the animals utilized and (b) any reasons why the proposed animal research ordinance would inhibit necessary medical research.

We utilize approximately 22 rabbits in our research for the purpose of ascertaining whether antibodies arise in their blood upon the introduction of antigens. All of our research, including the use of our rabbits, is conducted in compliance with the NIH Guidelines and Cambridge DNA Ordinance, as well as the Animal Welfare Act of the United States Government. The United States Department of Agriculture inspects our animal care facilities.

We feel that the information requested by the Animal Commission appears to go beyond what we furnish to regulatory authorities and hence is not "available" as that term is used in the City Council Order dated September 29, 1986. The research proposals requested by the Animal Commission contain confidential information which, if disclosed, would potentially harm our competitive position.

We are most troubled to learn that, according to the Cambridge Tab newspaper, February 3, 1987 edition, the Animal Commissioner intends to make available to the Cambridge Committee for Responsible Research, an animal rights group which is sponsoring the pending Animal Rights Ordinance, the information he receives from respondents to his

January 26, 1987 letter. We are obviously concerned about what will happen to our confidential information if it is released to the public. It should be noted that the City Council Order dated September 29, 1986 does not authorize the Animal Commission to release the information it gathers to the public.

The letter dated January 26, 1987 also asks for our comments on the proposed Animal Rights Ordinance published on September 11, 1986. We feel that the proposed Ordinance would be acceptable to us if it required that all research organizations follow the NIH Guidelines and Animal Welfare Act for research using all types of animals. We also would not object if (1) copies of all reports filed under the NIH and the USDA were required to be filed with the Commissioner of Health and Hospitals, (2) research facilities were required to be registered with the Commissioner of Health and Hospitals and (3) the Commissioner of Health and Hospitals were given the right to inspect research facilities to ascertain compliance with the Ordinance.

However we do not, support Section 11-30 (II) (a) (4) of the proposed Ordinance which would require that one member of the Institutional Animal Care and Use Committee ("IACUC") be selected from a list of individuals provided by the Animal Commission composed of people "deemed to have the greatest capacity to provide effective advocacy on behalf of the animals. We do not know what the quoted language means and feel that it could lead to the disruption of research work as such an individual would be given "unrestricted access to all areas in which animals are housed or used as subjects in experiments". We would be concerned that such an individual not only might disrupt important research, but also might obtain confidential information about our work. In addition, there are safety and legal liability concerns if a member of the general public is allowed "unrestricted" our facilities. We propose that research organizations be permitted to have as the community representative on their IACUC an individual selected by the organization and approved by the Commissioner of Health and Hospitals. If this were adopted in the final version of the ordinance, a research organization could select as its IACUC community representative the same person who is the community representative on its Institutional Biosafety Committee. Thus, an individual already familiar with the organization and its work could be selected.

We also have a concern with Section 11-30 (II) (a) (8) which would require a research institution to continuously monitor the "psychological distress" of animal subjects. We do not know what this means, let alone how to measure it. Furthermore, Section 11-30 (II) (a) (3) required that the

research organization's training manual outline procedures and techniques relevant to providing for the "psychological health of the animals". Again, how does one determine the "psychological health" of an animal, and if it is not "psychologically healthy", how does one provide treatment?

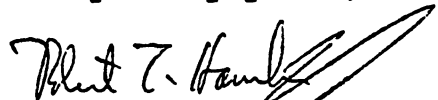
We also have concerns with Sections 11-31 (II) (a), (c) and (F) and III. Specifically, Section 11-31 (II) (a) would require the Cambridge Animal Experimentation Review Board ("CAERB") to determine "the community's ethical standards for the use of animals". How would it do this? How would it know what questions to ask? How often would CAERB sample the community to detect any changes in ethical standards? Would the sampling techniques result in obtaining the opinion of a true cross section of the community, or only that of a small minority?

Sections 11-31 (II) (c) and (F) would require CAERB to review "all proposals for animal experimentation" and "protocols for experiments on animals". We feel that any such review would materially slow down important research projects and would not result in any benefits to community interests. Our research using recombinant DNA techniques is conducted in compliance with NIH Guidelines and the Cambridge DNA Ordinance.

Finally, we are concerned with Section 11-31 (III) which provides that a research organization could be closed down if a "serious or repeated violation" of the proposed Ordinance were to occur. There are no standards as to what would constitute a "serious" or a "repeated" violation.

Please understand that we are indeed concerned about the welfare of our animals. We believe that they receive excellent care from our employee who has responsibility for looking after them. We appreciate your consideration of our comments on the proposed Ordinance dated September 11, 1986. If you would like to discuss any of the above points, please do not hesitate to call me. I would be willing to assist the appropriate Cambridge authorities in the drafting of a reasonable animal research ordinance which we could support.

Very truly yours,



Robert T. Hamlin, Jr.  
General Counsel

cc: Mark W. McCabe  
Director, Cambridge Animal Commission

# Applied bioTechnology Inc.

80 Rogers Street  
Cambridge, Massachusetts 02142  
(617) 492-7289

February 19, 1987

Mr. Mark W. McCabe  
Director Animal Commission  
Animal Care and Control  
57 Inman Street  
Cambridge, Massachusetts 02139

Dear Mr. McCabe:

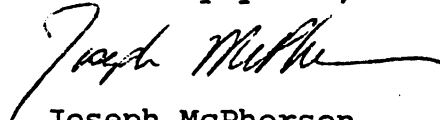
I recently received your letter requesting information from us regarding our use of research animals. The information requested has already been provided to Dr. Melvin Chalfen, Commissioner of Health and Hospitals, when he visited our animal facility to gather information to answer the questions put forth in the City Council Order of September 29, 1986. Dr. Chalfen reviewed our facility and procedures on November 6, 1986. He asked about our experiments with the animals and how the proposed Ordinance would affect our research, and he inspected the entire animal facility.

We have sent letters to the City Councillors on how the Animal Ordinance as originally proposed would affect our research. Together with the Massachusetts Biotechnology Council we sent a letter to the City Councillors detailing how we would like to see the proposed Ordinance amended and why.

As of this writing, our facility houses 2 rabbits and 392 mice. Rabbits are used for antibody production. Experiments in mice are necessary for testing cellular and humoral immune responses to vaccines under development, determining the metastatic potential of transformed cell lines, and producing monoclonal antibodies. Our animal facility, which was opened in August, 1986, is registered with the United States Department of Agriculture (USDA) as a research facility under the Animal Welfare Act. We were inspected by the USDA on November 20, 1986 and found to be in full compliance.

If there is any other information necessary, please don't hesitate to contact me.

Sincerely yours,



Joseph McPherson  
Laboratory and Facilities  
Manager

cc: Robert Healy, City Manager, City of Cambridge  
Dr. Melvin Chalfen, Commissioner of Health and Hospitals

# ANGENICS

100 Inman Street  
Cambridge, Massachusetts 02139  
617-876-6468

February 10, 1987

Mr. Robert Healy  
City Manager  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Dear Mr. Healy:

As head of our Animal Care Committee at Angenics, I am writing with regard to a letter I received from Mr. Mark McCabe of the City's Animal Commission requesting our company to provide him with documentation covering our animal use protocols and Animal Committee meetings minutes. In addition he has requested a critique of the City's proposed animal care and use ordinance (publication #2324, Article IV, Section 11-30).

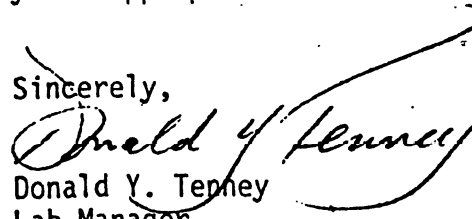
First, I wish to note that this appears to be a duplication of effort by the City. It is my understanding that your office is coordinating this information gathering and has designated Dr. Chalfen as the individual who shall canvas local institutions for the above information. Also Mr. McCabe must not be aware of a detailed critique of the proposed ordinance drawn up by local private firms and submitted by the MBC to each member of the City Council and the Mayor last October.

Secondly, I am reluctant to release any information, as requested, in light of statements made by Mr. McCabe in a recent Cambridge Tab article, naming a local animal rights organization as the group who will study the information. This seems to be an inappropriate process.

Further, the response time requested by Mr. McCabe is rather short. It will be difficult to prepare such documents free of proprietary information, in the time requested.

I would appreciate hearing from your office with regard to obligations you regard as necessary and appropriate for our company to meet.

Sincerely,

  
Donald Y. Tenney  
Lab Manager

DYT:sj

cc: Mark W. McCabe ✓  
Dr. Melvin Chalfen

# Genetics Institute

February 6, 1987

Mr. Robert Healy  
City Manager, City of Cambridge  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Dear Mr. Healy

We recently received a letter from Mr. Mark W. McCabe, Director of the Animal Commission, requesting information from us regarding our use of research animals. We are not opposed to providing information to the Animal Commission, however, we feel that this information has already been submitted to the Department of Health and Hospitals. We do not feel that this duplication of effort is necessary. We ask that you investigate this matter and let us know what is required of us.

In November, Dr. Melvin Chalfen, Commissioner of Health and Hospitals, visited our animal facility to gather information to answer the questions put forth in the Council Order of September 29, 1986. Dr. Chalfen looked for evidence of abusive treatment of the research animals, asked about our Animal Care Committee and our research projects, and asked how we felt the proposed Animal Welfare Ordinance would affect our research.

Mr. McCabe's letter requests copies of our research protocols, committee minutes, and inspection reports and our opinion on the affect on medical research of the proposed ordinance. If the City decides that the documents requested by Mr. McCabe contain information which Dr. Chalfen has not obtained and which is required to answer the Council Order's questions, we will be happy to provide them. However, please be advised that the confidential business information contained in these documents will have to be removed because we have read that once the documents are submitted to the Animal Commission they will be open to the scrutiny of the public, including the Cambridge Committee for Responsible Research. We, therefore, would request that we be given 30 days to assemble the necessary individuals to review and edit the documents.

87 CambridgePark Drive  
Cambridge, Massachusetts 02140-2387  
Telephone 617 876-1170  
Telex 948219

Mr. Robert Healy  
February 6, 1987  
Page 2

It appears to us that the City is not coordinating its efforts to gather the information requested by the Council. Therefore, before we submit information which we feel duplicates information collected by Dr. Chalfen and which we believe will be closely scrutinized by the public, we ask you to review what the City Council requires. We will submit whatever the City feels necessary.

Thank you for your attention to this matter. We will wait for your response.

Sincerely,



Gary Spies  
Environmental Health

cc: Dr. Melvin Chalfen  
Mr. Mark McCabe



Cambridge Research Laboratory, 195 Albany Street, Cambridge, Massachusetts 02139 (617) 491-2300

---

February 6, 1987

Mr. Robert Healy  
City Manager, City of Cambridge  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139

Dear Mr. Healy:

Earlier this week, we received a letter from the Cambridge Animal Commission, signed by the Commission's director, Mr. Mark McCabe. The letter requests that we submit specific information regarding the practice and purpose of our research with laboratory animals. We would like to cooperate with the City in its efforts to resolve the issues surrounding the proposed animal ordinance and although we are not opposed to providing this information, we believe that it has already been submitted to the Commissioner of Health and Hospitals.

As you know, Dr. Melvin Chalfen visited our animal facility in November. During his visit, the Commissioner toured the animal rooms, inspected for any abuse to our laboratory animals, discussed with us our research projects and solicited our views on the proposed Animal Welfare Ordinance. In light of Dr. Chalfen's visit to our facility, we feel that a submission of the information requested by Mr. McCabe is an unnecessary duplication of effort and paperwork.

We must also remind you that because of the proprietary nature of our business, we are greatly concerned over the possible lack of confidentiality afforded us by the Animal Commission and the Cambridge Committee for Responsible Research. To properly review and edit our documents so as to remove confidential information, as suggested in Mr. McCabe's letter, we would need an extension of at least 45 days to complete this task.

At this time, we are asking that you investigate this request by Mr. McCabe, review the needs of the City Council in their assessment of the proposed ordinance, and inform us of the additional information that is needed. As we have stated, it is our intention to cooperate with whatever you and the City Council feel is necessary.

Thank you for your consideration of this matter. I look forward to hearing from you.

Sincerely yours,

A handwritten signature in cursive script that reads "Karen April Hamlin".

Karen April Hamlin  
Manager of Regulatory Affairs

cc: Dr. Melvin Chalfen, Commissioner of Health & Hospitals  
Mr. Mark W. McCabe, Director, Cambridge Animal Commission ✓

**toxikon**

125 Lenox St., Norwood, MA 02062  
(617) 769-8820 Telex 924-441  
359 Allston St., Cambridge, MA 02139  
(617) 661-0991

February 6, 1987

City of Cambridge  
Animal Care and Control  
57 Inman Street  
Cambridge, MA 02139

ATTN: Mark McCabe

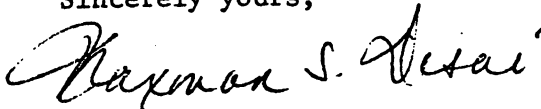
Dear Mr. McCabe:

In response to your letter of January 26, 1987, I am writing to inform you that we do not have any animals in our Cambridge facility nor have we had them there for at least one year.

We do have an animal care committee operating elsewhere in compliance with OPRR which does not come under the jurisdiction of the Cambridge area.

Thank your for your cooperation.

Sincerely yours,



Laxman S. Desai D.Sc.  
President

# H.G. Pars

PHARMACEUTICAL LABORATORIES, INC.

763 CONCORD AVENUE, CAMBRIDGE, MA 02138 · (617) 354-2800 · TELEX 951585 TOXIS CAM

February 3, 1987

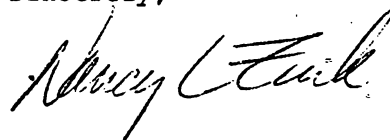
Mr. Mark W. McCabe  
Director, Animal Commission  
CITY OF CAMBRIDGE  
Animal Care and Control  
57 Inman Street  
Cambridge, MA 02139

Dear Mr. McCabe:

SISA Toxicological Laboratories, Inc., a wholly-owned subsidiary of H.G. PARS Pharmaceutical Laboratories, Inc., officially ceased operation on September 30, 1986. As we have no current or future plans to conduct tests of any kind involving animals, we respectfully decline responding to your request for information.

If we can be of any further assistance, please contact this office in writing.

Sincerely,



Nancy L. Zink  
Manager, Quality Assurance and  
Regulatory Compliance

NLZ:ef  
1337B

cc: Dr. H. G. Pars  
Mr. R. L. Maddix



February 9, 1987

Mark W. McCabe  
Director  
Animal Commission  
27 Inman Street  
Cambridge, MA 02139

Dear Mr. McCabe:

I am writing in response to your letter of January 26, 1987 requesting information regarding testing conducted using animals.

Genzyme is a Boston based biotechnical company which as of October 1, 1986 relocated one company group at the Binney Street address. While it is our intention to conduct research using animals at some future date, no testing/experimentation has been done to date (10/86 - 2/187). Likewise we are in the process of establishing an animal care committee.

If you have any questions regarding our current status in this matter or have possible concerns, please do not hesitate to telephone me (876-9404).

Sincerely,

A handwritten signature in cursive script that reads "Stephanie A. Parker".

Stephanie A. Parker  
Manager of Business Development

SAP/cml

Corporate Headquarters / Sales, Research and Development Center / Genzyme Corporation / 75 Kneeland Street  
Boston, Massachusetts 02111 / (800) 332-1042 / In Massachusetts (617) 451-1923 / TELEX: (U.S. 25)201223 / FAX: (617) 451-2454

Enzyme Research and Production Center / Genzyme Biochemicals Ltd. / Springfield Mill / Maidstone / Kent ME 14 2 LE England  
822-673841 / TELEX: (U.K. 851) 966150

Fine Chemicals Research and Production Center / Koch-Light Ltd. / 37 Hollands Road / Haverhill / Suffolk CB9 8PU / England  
440-702436 / TELEX: (U.K. 851) 817756

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 Arthur D. Little, Inc.

February 6, 1987

Andrew Sivak, Ph.D.  
Vice President

Mr. Mark W. McCabe  
Director animal Commission  
City of Cambridge  
Animal Care & Control  
57 Inman Street  
Cambridge, MA 02139

Dear Mr. McCabe:

In response to your letter of January 26, 1987, we are evaluating the data that you have requested and will respond in a separate communication with respect to those items. At the outset, you should be aware that our commercial clients require a level of confidentiality for their work that may make disclosure impossible because of our contractual agreements with them.

In response to your specific questions about the proposed ordinance, I am enclosing letters I have written to Mayor Sullivan and Councillor Duehay that addresses the relevant issues.

Since it is my strong opinion that no ordinance is needed, I have no comments about its wording. Should you require any additional information or clarification, please feel free to get in touch with me.

Sincerely yours,

AS:km

enclosures

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30 Memorial Drive  
Cambridge, Massachusetts 02140-2390  
617 864-5770

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Arthur D. Little, Inc.

Andrew Sivak, Ph.D.  
Vice President

October 1, 1986

Mr. Francis H. Duehay  
City Councillor  
Cambridge City Hall  
Cambridge, MA 02139

Dear Mr. Duehay:

In response to your requests for information bearing on the proposed ordinance for the care and use of laboratory animals in the city of Cambridge, we are pleased to submit the enclosed items which will provide you and other council members a sense of our program to manage research with laboratory animals.

At the outset, I must indicate to you my view that the proposed ordinance is unnecessary and duplicates the extensive controls, inspections and reporting systems already in place.

Since a significant portion of our work with laboratory animals is for Federal agencies (National Cancer Institute, National Institute of Environmental Health Sciences, National Institute for Occupational Safety and Health), we have the same requirements as universities in adhering to the NIH guidelines. In addition, as a matter of policy, all work involving experimental animals, regardless of the client, must be approved by our own animal care committee.

This committee is established in accordance with NIH guidelines. Because of its importance, I chair the committee and my deputy handles most of the day to day details. In addition, we have two laboratory investigators from my section, two veterinarians (one from our organization and one as a consultant), the section quality assurance officer, the chief animal caretaker, the facilities supervisor and an external member, who is a physician from Boston University. This committee has complete oversight responsibility for all animal work conducted by us. No animals are even ordered for experiments until protocols are approved by this committee.

October 1, 1986

-2-

Mr. Francis H. Duehay  
City Councillor

During your questioning of the MIT representative at the hearing, you asked whether monitoring of procedures is performed during a study. Almost all of our work does have such monitoring, since our work for the Government and for commercial clients wishing to submit data to regulatory agencies is done under the Good Laboratory Practice rules of either the U.S. Food and Drug Administration or the Environmental Protection Agency. The Quality Assurance Officer or one of her staff monitors all critical phases of a study to ensure that the procedures are done exactly according to protocol. Any deviations in protocol are reported immediately to me, and if warranted, to the animal care committee, who can stop a study.

We are regularly inspected by the U.S. Department of Agriculture and the Massachusetts Society for Prevention of Cruelty to Animals for the state of Massachusetts. In fact, on the afternoon of the hearing we were inspected by the U.S.D.A. These inspections are unannounced, the reports are available to the public, and we are proud to note that we have continually received evaluations of "no deficiencies" from both inspecting agencies. In addition, we have yearly reports to NIH and the American Association for Laboratory Animal Care (AALAC) and we are fully accredited animal care facility by AALAC. Also, because of the work we do is used for regulatory clearances by commercial clients, we are inspected on an irregular basis by Good Laboratory Practice monitors from the U.S. Food and Drug Administration and Environmental Protection Agency. As you are aware, reports of Federal agencies are available to any citizen.

It is our view that the regulatory and monitoring mechanisms already in place for laboratory animal research match or exceed those of the proposed ordinance. Further, the information to judge whether facilities are operated properly and appropriate experiments are being performed is already available to the public.

In a time of limited resources, it seems unwise to embark on an additional municipal regulatory effort that will have serious time monetary impacts on both the city and the affected institutions, as well as a substantial inhibitory and chilling effect on research.

October 1, 1986

-3-

Mr. Francis H. Duehay  
City Councillor

Finally, the position that experiments with laboratory animals can be replaced by computer or test tube systems is simply untenable based on my 30 years of biological research. The technology available to us has come a long way in the search for alternative systems to examine the biological properties of pharmaceuticals, medical devices and environmental chemicals, and we are pleased to have contributed to that effort. However, it would be extraordinarily naive to assume that whole animal systems could be replaced in our increasingly sophisticated scientific inquiries to search for ways to protect, help, and cure humans.

I urge you and your colleagues on the council to reject this unneeded and unwise proposed ordinance for the reasons stated above.

Should you wish to have further information or visit with us to discuss the matter further, and see the extensive documentation we have for our animal care system, please feel free to call me.

Sincerely yours,



AS:km

enclosures

September 15, 1986

The Honorable Walter J. Sullivan  
Mayor - City of Cambridge  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

1986  
At the frontier  
1886

Dear Mayor Sullivan:

It was a pleasure to meet you at the board meeting of the American Cancer Society Cambridge Unit. Despite what the newspapers may print, we are not planning any move from Cambridge, although I am sure you can appreciate our views on the constraints on our business that certain city activities have caused.

It is with this focus I am writing concerning the ordinance proposed on the care and use of laboratory animals. This proposal is ill considered and duplicates the requirements of both state and federal agencies. Beyond the negative effect on important health-related biological research, there is the very real prospect of driving away from Cambridge important businesses who have chosen to make this community their home because of enlightened attitudes on most issues and an environment which has strongly supported research.

The ordinance would not, in fact, improve the situation for laboratory animals, since rigorous regulation by Federal and state agencies ensures compliance with the Animal Welfare Act and other statutes and rules governing the use of laboratory animals.

I would encourage you and your colleagues in the council to reject this ordinance sponsored by a narrow and extreme constituency on the grounds of its potentially destructive influence on the development of information that has good promise in improving the health and welfare of the general population.

Sincerely yours,

AS:km

Brussels	Mexico City	Singapore
Houston	Milan	Tokyo
London	Paris	Toronto
Los Angeles	San Francisco	Washington
Madrid	São Paulo	Wiesbaden



February 12, 1987

Mr. Mark McCabe  
Director Animal Commission  
Animal Care & Control  
57 Inman Street  
Cambridge, MA 02139

Dear Mr. McCabe,

In response to your letter dated January 26, 1987. We wish to convey the following information regarding Dade's involvement with animal research. Dade maintains an animal colony of mice and rats for the sole purpose of monoclonal antibody production. In general, this colony consists of approximately 200 mice and 10 rats. The actual numbers are dependent upon what phase of production we are running at the time.

Currently Dade is under no obligation to follow the NIH Guide for the Care and Use of Laboratory Animals nor the USDA, and thus has not established an Animal Care Committee. Our facility and procedures are in accordance with those described in the Guide, however, we have not formalized these procedures in a manual or granted "accepted" research protocols. For additional information on our facilities we suggest that you contact Mr. Kevin Doherty from Commissioner Chalfen's office concerning his recent inspection findings (See Attachment I).

We have enclosed information regarding the procedures involved in the preparation of hybridoma cell lines and monoclonal antibody ascites production. These protocols describe the extent of our research capabilities with in vivo systems for animals within your jurisdiction (See Attachment II).

On October 6, 1986, the Massachusetts Biotechnology Council submitted a statement to Mayor Sullivan and the members of the City Council concerning this issue. This statement accurately reflects our interpretation of the problematic language in the proposed ordinance (See Attachment III). Although we are not opposed to the concept of regulation in this matter, we feel that the language of the ordinance requires some revision to more accurately reflect the intent of the City Council.

Page 2

Please feel free to contact me at the number listed above if I can be of any further assistance in this matter.

Respectfully,

*Martha A. Daigle*

Martha A. Daigle, M.P.H.  
Health & Safety

enc.

ATTACHMENT I

AGENCY CONTACT REPORT

Date of Contact: 11-20-86 Time of Day: 11:30AM

Agency Involved: City of Cambridge - Dept. of Public Health

Agency Official's Name & Title: Kevin Dorhety

Telephone No.: \_\_\_\_\_

TGD Personnel: Martha Daigle

Who Initiated Call: Dept. of Public Health

Subject Matter: Animal Welfare Ordinance - Animal Room Inspection

**SUMMARY OF CONVERSATION** As stipulated in my conversation with Dr. Chalfen, Mr. Dorhety arrived on time to inspect our animal facility. I answered as many of Mr. Dorhety's questions as was possible while we were in my office. Mr. Dorhety asked if we followed the NIH guidelines and I said that we did for the most part (eg. bedding, cage changing, euthanasia, physical plant etc.) however, we do not have written procedures for these activities nor do we have an acting "Animal Welfare Committee". I told Mr Dorhety that our current Biosafety Committee would act as the "Animal Welfare Committee" as necessary. We would also include our vet consultant in any proceedings requiring committee approval, should this become necessary. Mr. Dorhety then inspected our animal room located on the 4<sup>th</sup> floor of the 600 building. Dr. Mariluci Bladon conducted the tour. Mr. Dorhety's visit lasted a total of 30 minutes.

**ACTION ITEMS** →

Copies To: \_\_\_\_\_ EAC

TGD Signature Martha A. Daigle

\_\_\_\_\_ BJB

File Copies to \_\_\_\_\_

\_\_\_\_\_ ES

\*see attachment. Dr. Chalfen was ordered by the City Manager to determine the extent of animal research within

He had no negative comments and he will not issue a report to this office. Should the City approve this ordinance all companies effected will receive a notice from the City.

Appendix 1

Dr. Steven Lee, President  
Repligen Corporation  
1 Kendal Square Building 700  
Cambridge, MA 02139

T Cell Sciences  
840 Memorial Drive  
Cambridge, MA 02139

Dr. Louis Kamentsky, President  
Cambridge Research Lab  
195 Albany Street  
Cambridge, MA 02139

Advanced Magnetics  
61 Mooney Street  
Cambridge, MA 02139

Applied Biotechnology  
80 Rogers Street  
Cambridge, MA 02142

Biogen Research Company  
14 Cambridge Center  
Cambridge, MA 02142

Baxter Travenol Diagnostics, Inc.  
Clinical Assays  
600 Memorial Drive  
Cambridge, MA 02139

Genetics Institute, Inc.  
87 Cambridge Park Drive  
Cambridge, MA 02140

Genzyme Company  
101 Binney Street  
Cambridge, MA 02142

Angenics  
100 Inman Street  
Cambridge, MA 02139  
Attention: Donald Y. Tenney

Dr. John Moses  
Chairman Animal Care Commission  
M.I.T.  
Cambridge, MA 02139

Dr. C. Richard Taylor  
Chairman Animal Care Commission  
Harvard University  
Cambridge, MA 02138

Dr. H.G. Pars, Chairman  
SISA, Inc.  
Toxical - SISA  
763 D Concord Avenue  
Cambridge, MA 02138

Dr. Laxman S. Desai, Director  
Cambridge Diagnostics  
359 Allston  
Cambridge, MA 02139

Dr. Andrew Sivak, Vice President  
Arthur D. Little, Inc.  
25 Acorn Park  
Cambridge, MA 02140

PETITION TO HELP LABORATORY ANIMALS

We the members of the M.I.T. community appeal to the Cambridge City Council to pass the Ordinance for Care and Use of Laboratory Animals. We support the ordinance because it provides for disclosure of information about procedures used, comprehensive inspections, and an animal advocate on each institutional animal care committee. The City must also ensure that commercial labs do not poison or blind animals simply to introduce new cosmetics and toiletries.

No	Signature	Printed Name	Address	City	St	Zip	Phone
1	<i>William B. Snyder</i>	William B. Snyder	69 Chestnut Street	Cambridge	MA	02139	492-6983
2	<i>Amy K. Farrell</i>	Amy K. Farrell	69 Chestnut St.	Cambridge	MA	02139	<sup>(617)</sup> 492-6983
3	<i>Kenneth L. Simons</i>	Kenneth L. Simons	69 Chestnut	Cambridge	MA	02139	492-6983
4	<i>Susan S. Stubeda</i>	Susan S. Stubeda	69 Chestnut St.	Cambridge	MA	02139	492-6983
5	<i>Eugene A. Beidl</i>	Eugene A. Beidl	69 Chestnut St.	Cambridge	MA	02139	492-6984
6	<del>Lisa Weiss</del>	<del>Lisa Weiss</del>					
7	<i>Lisa L. Weiss</i>	Lisa L. Weiss	1 Victoria St.	Somerville	MA	02144	666-5517
8	<i>Deborah Chen</i>	DEBORAH CHEN	69 CHESTNUT ST.	CAMBRIDGE	MA	02139	492-6983
9	<del>Deborah Chen</del>						
10	<i>Robert A. Terwilliger</i>	Robert A. Terwilliger	69 Chestnut St.	Cambridge	MA	02139	492-6983
11	<i>Jee-Lian Yan</i>	Jee-Lian Yan	"	"	"	"	"
12	<i>Bruce R. Lewis</i>	Bruce R. Lewis	"	"	"	"	"
13	<i>Monica M. Strauss</i>	Monica M. STRAUSS	NR43-407, MIT	"	"	"	253-6060
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No	Signature	Printed Name	Address	City	St	Zip	Phone
1	<i>David J. Braunege</i>	DAVID J. BRAUNEGG	545 TECHNOLOGY SQ, #750	CAMBRIDGE	MA	02139	253-5953
2	<i>S. Jazannatilan</i>	S. JAZANNATILAN	545 TECHNOLOGY SQ. #226	CAMBRIDGE	MA	02139	3-2795
3	<i>Natalie F. Tarbet</i>	Natalie F. Tarbet	545 Technology Sq. #209	Cambridge	MA	02139	3-6837
4	<i>Steph A. Bolst</i>	Stephen A. Bolst	545 Technology Sq., #236	Cambridge	MA	02139	253-8862
5	<i>Eric Ristad</i>	Eric Ristad	341 Cardinal Mercedes	Cambridge	MA	02141	354-3987
6	<i>Priscilla M. Cobb</i>	PRISCILLA M. COBB	25 SEARAWAY ROAD	CAMBRIDGE	MA	02140	354-4256
7	<i>Richard A. Cowan</i>	Richard A. Cowan	117 Knidge Ave	Cambridge	MA	02139	497-0870
8	<i>C. Lakshmanan Rao</i>	LAKSHMANAN RAO	AWT#22E, 550 Mem. Dr.	Cambridge	MA	02139	577-8889
9	<i>Prankitha Reddy</i>	Prankitha Reddy	E25-246 M.I.T.	Cambridge	MA	02139	253-8802
10	<i>John E. Weeman</i>	John E. Weeman	11 Granite St	Cambridge	MA	02139	—
11	<i>Stephen Shefsky</i>	Stephen Shefsky	410 Memorial Dr. 1414	Cambridge	MA	02139	225 8157
12	<i>Peter A. Mead</i>	Peter A. Mead	50 Mass Ave.	Cambridge	MA	02139	225-966
13	<i>Robert Martin</i>	Robert Martin	917 BELMONT ST.	WATERTOWN	MA	02172	484 9043
14	<i>Elijah Millgram</i>	Elijah Millgram	122 Kinnaird St, #3	Cambridge	MA	02139	576-6310
15	<i>Rahul Sarpeshkar</i>	RAHUL SARPESHKAR	414 WALCOTT	Cambridge	MA	02139	225-6659
16	<i>Randy Sargent</i>	Randy Sargent	4 Ames St.	Cambridge	MA	02139	225-6621
17	<i>John Underkoffler</i>	JOHN UNDERKOFFLER	351 MASS. AVE	CAMBRIDGE	MA	02139	547-4019
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19							
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PETITION TO HELP LABORATORY ANIMALS

We the members of the M.I.T. community appeal to the Cambridge City Council to pass the Ordinance for Care and Use of Laboratory Animals. We support the ordinance because it provides for disclosure of information about procedures used, comprehensive inspections, and an animal advocate on each institutional animal care committee. The City must also ensure that commercial labs do not poison or blind animals simply to introduce new cosmetics and toiletries.

No	Signature	Printed Name	Address	City	St	Zip	Phone
1	<i>David Geiger</i>	DAVID GEIGER	410 Memorial Dr #421	Cambridge	MA	02139	494-8718
2	<i>Marcia Ross</i>	MARCIA ROSS	14 Centre St.	Camb.	MA	02139	354-8517
3	<i>Lynne A. Geldard</i>	Lynne A. Geldard	545 Technology Sq	Cambridge	MA	02139	253-3491
4	<i>Cristina A. Ciro</i>	CRISTINA A. CIRO	545 TECH. SQ. #801	"	"	"	253-8919
5	<i>Richard C. Waters</i>	RICHARD C. WATERS	545 TECH. SQ. #802	CAMB	MA	02139	253-6077
6	<i>Thomas Reinhardt</i>	THOMAS REINHARDT	545 Tech. Sq #809	CAMB	MA	02139	253-5871
7	<i>Jill Gauldin</i>	JILL GAULDING	362 Memorial Dr	CAMB.	MA	02139	225-7318
8	<i>Marc Light</i>	MARC LIGHT	" "	"	"	"	7231
9	<i>Maria Pocaterra</i>	MARIA POCATERRA	1400 COMM. AVE. #15 BOSTON	BOSTON	MA	02134	253-6464
10	<i>Jeff Pterick</i>	JEFF PIERICK	45 Gordon St., #4	Allston	MA	02134	787-7621
11	<i>Margaret C.W. Krebs</i>	Margaret C.W. Krebs	55 Hawthorne St.	Somerville	MA	02144	628-4217
12	<i>David Kirsh</i>	DAVID KIRSH	109 Orchard St.	Somerville	MA	02144	629-2448
13	<i>Laurel Simmons</i>	Laurel Simmons	85A MASS AVE #11	Cambridge	MA	02139	864-2226
14	<i>Jeffrey Van Baalen</i>	JEFFREY VAN BAALEN	210 Littleton Rd	Harvard	MA	01457	456-8736
15	<i>Byron E. Robyn</i>	BYRON E. ROBYN	545 Tech Sq. NE43-818	CAMBR	MA	02139	253-0297
16	<i>Boris Kete</i>	Boris Kete	545 Tech Sq.	Camb.	MA	02139	253-6032
17	<i>Robert Frank</i>	ROBERT FRANK	362 Memorial Dr.	CAMB	MA	02139	494-9330
18	<i>David Chaney</i>	DAVID CHANEY	137 Peterborough #19	BOSTON	MA	02215	437-7976
19	<i>Bonnie J. Dorr</i>	BONNIE J. DORR	P.O. Box 299; MIT BRANCH	CAMB	MA	02139	253-7836
20	<i>Gul Agha</i>	GUL AGHA	15 Audrey St.	CAMB	MA	02139	253-5871

*Heeb Language*  
*pp. 2*      *α*



**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.



# City of Cambridge

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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

*check words  
per FHD*  
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

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 VELLUCC<sup>5</sup>.  
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.

Councillors Wolf & Duehay order re: City Solicitor to draft an animal research ordinance with certain components (specified in the text of this order), among them the adoption of the NIH guidelines for animal research as City policy.

In City Council,

February 2, 1987

*C. Duehay*  
*Exercised his Charter  
Right*