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April 22, 2014

The Honorable Das Williams Chair, Assembly Higher Education Committee 1020 N Street, Room 173 Sacramento, CA 95814

RE: AB 2431 (Dababneh), as introduced February 21, 2014

Scheduled to be heard by the Assembly Higher Education Committee on April 29, 2014

Position: OPPOSE

Dear Assembly Member Williams:

The University of California (UC) actively supports the humane and responsible use of animals for the purposes of advancing knowledge and improving human and animal health. The University is committed to ensuring that we employ the highest standards of animal care, safety and health in full compliance with applicable laws and ethical principles. Research involving animals at UC is closely monitored and subject to federal laws and guidelines. All requests to use animals in research undergo a rigorous review by an independent committee of well-informed scientists, veterinarians, and members of the general public to ensure scientific necessity and humane treatment. The review requires an extensive search for alternatives to minimize the use of animals whenever possible.

The University supports the adoption of dogs and cats used in research when those animals have been deemed suitable for adoption by the expert evaluation of our campus researchers and veterinarians. This includes not only an evaluation of the health of the dog or cat, but also an evaluation of the animal's temperament and consideration of the potential long-term impacts of the scientific research to which the animal was subject. All UC campuses that perform teaching, testing or research on dogs and cats follow internally-developed policies, guidance, or practices that permit adoption whenever possible. Adoptions may be managed through a "direct adoption" process by the UC campus or through relationships with organizations that have been deemed suitable and capable of ensuring that the animal will be cared for in a humane and appropriate manner. Our campuses have been encouraging adoption of research animals for some time as UCSF pioneered adoption of research dogs and cats in the 1990's. Unfortunately, under AB 2431, successful campus direct adoption programs would be discontinued as the bill would instead require research animals to be offered to animal adoption or animal rescue organizations for adoption.

The University is also concerned that AB 2431 fails to address the complex human health and safety considerations and related costs that must be contemplated before adoption of research dogs and cats. For example, should an otherwise healthy dog or cat that was exposed to infectious agents or non-FDA approved drugs be made available for adoption? Must a dog or cat whose behavior or temperament

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makes them inappropriate for adoption be required to be made available for adoption? These complex determinations are best made on a case-by-case basis through the expert scientific judgment of our campus researchers and veterinarians who are most familiar with the animals. Yet it seems possible that AB 2431 could create a new legal cause of action against these scientists, veterinarians and UC if someone disputed their determination. The cost of defending against nuisance and unmeritorious claims could be crippling to research budgets already stretched thin.

Finally, although the bill allows for animals suffering from serious illness and injury to be exempted from the adoption requirement, it does not provide an exemption for otherwise healthy animals that must be euthanized as part of the research protocol. Some research studies require euthanasia as part of the experimental protocol, for the purpose of critical tissue collection, organ sampling, and other terminal procedures. AB 2431, as currently drafted, would require that these animals must first be offered for adoption, thereby undermining the completion of valuable scientific research studies.

Despite discussions with the author and sponsor of AB 2431, we regret to inform you that UC opposes AB 2431. Due to the fact that UC already makes research animals available for adoption when circumstances are appropriate, we don't see the need for the bill – and are further concerned that the bill may jeopardize existing campus adoption programs and valuable scientific research studies. As always, the University appreciates your consideration of our views. Should you have any questions about the University's oppose position on this bill, please do not hesitate to contact me at (916) 445-5584.

Sincerely,

Jason Murphy

Legislative Director

Jason W. Whughy

cc: Assembly Member Dababneh

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