

Laboratory animals

Replacement for 1876 act in sight

JUST one day before Parliament was dissolved last week to clear the way for the general election, the British Government published its long-awaited proposals for new legislation on animal experimentation. Opponents of animal experimentation will not be placated — nothing short of a ban on the use of animals, at least in cosmetics testing, would satisfy the antivivisectionists. But the White Paper does take account of the public concern for animal welfare and the practical needs of researchers by stressing a preference for “non-sentient” alternatives wherever possible, and by being specially stringent when licensing cosmetics testing.

The new proposals differ from the current Cruelty to Animals Act of 1876 in several important ways:

- The present law covers only “experiments”, but the new law would include procedures such as production of antisera, passaging of tumours and interference with the embryo or fetus.

- A new Animal Procedures Committee would be established by statute to replace the existing non-statutory body. The committee would advise the Home Secretary on matters of special concern and would advise on the development of alternatives to animals.

- All animals used in laboratories would have to be obtained from registered establishments. The use of stray cats and dogs would not be allowed.

- The conditions in which animals are kept when not being used in experiments would be regulated.

- Home Office inspectors would have to be satisfied that a procedure is justifiable, that no satisfactory alternative to the use of animals can be found, that the minimum possible number of animals is used and that the least possible suffering is caused.

- The 1876 act requires all animals used in experiments in which the animal recovers from anaesthesia to be killed. Recognizing that many surgical procedures are now relatively mild and that anaesthesia may also be used for immobilization rather than to control pain, this requirement would be dropped.

- Experiments on anaesthetized animals to train surgeons in microsurgery procedures would be permitted.

One result of the new legislation would be to allow the government to ratify the Council of Europe’s “Convention for the protection of animals used for scientific purposes”, details of which were settled

THE White Paper Scientific Procedures on Living Animals is published as Command 8883 by HMSO at a price of £3.60. In it, readers are invited to send written comments on the proposals to the Home Office, E4 Division, Queen Anne’s Gate, London SW1H 9AT by 12 August 1983. □

two weeks ago. In certain areas, the Home Office claims, the White Paper would go much further than the minimum requirements of the convention. For instance, no exceptions to the “pain condition” would be permitted in the United Kingdom. This means a continuation of the present rule that “if an animal is found to be suffering severe pain which is likely to endure, it shall at once be painlessly killed”.

To implement the new legislation, the Home Office would almost certainly have to increase the number of inspectors from

the present level of 15. The Home Office intends to make as many as four inspections each year for every licence holder, in contrast with one visit every four years which is normal in some other European countries.

Publication of the new proposals is a step towards keeping one of the promises made in the last Conservative manifesto to “update the legislation on experiments on living animals”. If a Conservative government is returned on 9 June, it is committed to introducing the new bill into Parliament “as soon as parliamentary time permits”. An administration of a different political hue, however, might wish to start with a clean sheet rather than modify the White Paper, and would have many other calls on its parliamentary time. **Charles Wenz**

US advisory committees

Same jobs, but less pay

Washington

FEDERAL agencies may have to stop paying consulting fees to scientists who serve on peer review panels under a new rule issued late last month by the General Services Administration. The rule, which affects advisory committees throughout the government — including some 200 committees that review grant proposals for the National Institutes of Health (NIH) and the National Science Foundation (NSF) — was issued as part of the Reagan Administration’s effort to foster “volunteerism” as a substitute for government spending.

The administration “believes that a sufficient number of citizens of all backgrounds and qualifications can be found to provide advice . . . through voluntary service”, the rule states (*Federal Register* 28 April, p.19324).

Agencies would still be permitted to pay transportation expenses for committee members and a *per diem*. But, according to NIH and NSF officials, the *per diem* — \$75 per day for Washington — is not enough to cover hotel and meal expenses. Both agencies have been paying their advisers consulting fees of \$100 per day for the time they spend at committee meetings.

The agency officials noted that this is far below consulting fees paid by industry, and in fact is also far below the \$245 per day that they could have paid under the previous rules. Vida Beaven, special assistant to the NIH deputy director, added that their advisers put in “as much as two to three weeks of homework time” before the thrice annual meetings for which they receive no pay.

NIH and NSF are exploring the possibility of obtaining an exemption to the rule, and for the present are continuing their past policy. The new rule does allow compensation for advisers if the law authorizing the committee specifically calls for it; it also allows compensation in the “exceptional case” where the agency head is unable to obtain the required expertise or balanced representation on the commit-

tees. But this latter exemption can only be invoked on a case-by-case basis, and apparently would not allow the NIH or NSF director to declare a blanket exemption for the entire agency. And although counsels for the agencies are examining the authorizing legislation for their committees, it seems doubtful at first glance that they will be able to claim specific legislative authority for paying advisers.

Nobody seems to have any firm data on just what effect the rule will have. “We’re not saying that NSF will go under and everybody will resign”, conceded Jeff Fenstermacher, director of NSF’s division of personnel and management. “But we think [\$100 per day] is little enough to pay for all the work they do for us. You’d be asking them to pay money out of their own pocket to do work for the government.”

Fenstermacher said that one worry was that the rule could foster the “old boy” network by encouraging relatively established and well-to-do scientists to serve on the peer review panels while discouraging younger researchers. The peer review system is often criticized already on this score. Fenstermacher added that the total cost of consulting fees to NSF last year was \$270,000 — about 1/200th of one per cent of the NSF budget.

The agencies had expected the rule to be issued in the form of a proposal, with a 90 day period for comments. Instead the Office of Management and Budget waived the comment period requirement and allowed the rule to be issued as an “interim” regulation effective immediately. Comments will still be accepted, and may have an effect on the final rule, but the action “gives us some indication of how serious they are”, Fenstermacher said.

The rule allows advisers appointed before 15 May to continue to be paid until 30 September. NIH at least will not have to take any immediate steps until 1 July, when nearly a quarter of its 2,400 advisers’ terms expire. **Stephen Budiansky**