

Monkeys Suffer in Solitary Confinement at Oregon Primate Center



Matt Rossell

This is one of hundreds of infant rhesus macaques prematurely taken from their mother at the Oregon Regional Primate Research Center (ORPRC). In the wild these babies would stay with their mothers for three years, but that does not fit into the financial equation of "monkey farming" at ORPRC.

Matt Rossell worked as a primate technician at the Oregon Regional Primate Research Center (ORPRC) but left after more than two years, frustrated with the facility's failure to provide for the welfare of the primates. A detailed log and two hours of video documentation obtained by Matt were submitted in an Animal Legal Defense Fund (ALDF) complaint to the US Department of Agriculture (USDA) to demonstrate apparent violations of the federal Animal Welfare Act including the mandate for a physical environment adequate to promote the psychological well-being of primates.

Matt's videotapes depict many of the **more than 1,200 primates who are confined to single cages** at ORPRC. The animals exhibit behavioral pathologies typical of primates isolated in this way. The tapes show rhesus monkeys at the laboratory who are self-mutilating and engaging in compulsive rocking and self-clasping behaviors. In one sequence a single-caged baby rhesus monkey is crouched over, rocking, and self-clasping—behavior indicative of psychological distress caused by being isolated from his mother and deprived of any other companionship.

USDA investigated the complaint and responded in

All Laboratory Animals Deserve Protection

The federal Laboratory Animal Welfare Act of 1966 set minimum requirements for handling, housing, and care for dogs, cats, primates, rabbits, hamsters and guinea pigs in the premises of dealers and in laboratories. In 1970 the Act, renamed the Animal Welfare Act (AWA), was amended to extend protection to all species of warm-blooded animals. However, the regulations promulgated for enforcement of the law arbitrarily excluded birds, mice and rats from the definition of animals, thus denying these species the protection to which they are entitled. There are no concrete figures, but it is generally agreed that approximately 95% of all animals used for research and testing are birds, mice and rats. The vast majority of laboratory animals have been left outside the law!

Birds, mice and rats used for experimentation do not benefit from the routine, unannounced inspections conducted by US Department of Agriculture (USDA) veterinary inspectors. When USDA veterinarians inspect research facilities they specifically overlook the care of birds, mice and rats. Nonetheless, from time to time, inspectors have noted horrors during their inspections including the following:

"During the inspection of the unmarked paper bags in the freezer, I discovered a moribund Long-Evans rat that was

barely breathing. The frigid condition of this animal and the fact that it was surrounded by chewed plastic bags containing other dead rats, indicated that it had been in the freezer for some time, possibly a day or more. The rat slowly recovered as it warmed.

"Had this incident occurred involving a species covered by the Animal Welfare Act, the University would be liable for serious violations of sections pertaining to the IACUC [Institutional Animal Care and Use Committee], euthanasia, provision of appropriate veterinary care, and training of personnel. The fact that the animal confined in the freezer was a rat and therefore not a covered species in no way diminishes the seriousness of this egregious lack of humane care for this animal. To me, this disturbing event raises grave concerns regarding the function of the IACUC and the delivery of veterinary care."

In response to a lawsuit brought by the Alternatives Research and Development Foundation et al., USDA settled the case last fall by agreeing to initiate the process for extending the AWA's coverage to these other animals. Shortly thereafter, the National Association for Biomedical Research (NABR), a long-standing opponent of the AWA that represents research facilities and animal dealers, interceded.

a January 5, 2001 letter to ALDF that “many of the individual items listed in the complaint consisted of information which could not be verified and therefore could not be considered as violations for the purpose of initiating enforcement action.” However, regarding environmental enhancement: social grouping “was an area of major concern of the investigative team....ORPRC is being required to develop procedures for ensuring that appropriate efforts are made to socially house all nonhuman primates, and that exceptions to this requirement are appropriately considered and documented. These procedures will be submitted to APHIS for approval.”

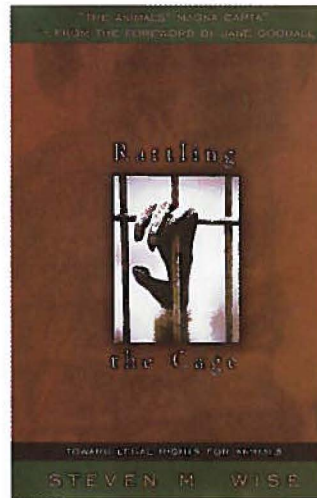
“Another area of concern for the team was the feeding of produce and the filling of enrichment devices on a regular basis. Records indicated that these tasks were receiving a low priority based on the availability of time and personnel.... We will be focusing additional attention on this area during future inspections.”

The letter also acknowledged that the former head of the Division of Animal Resources had resigned [though he’s now been hired by the Washington Primate Center], the former colony manager was permanently reassigned, more employees had been hired by the institution, and a plan of action was being implemented to correct the problems that were identified. We hope that ORPRC will embark on a serious effort to provide their long-suffering primates with better housing, care and enrichments and that USDA will be diligent in ensuring that this is the case. 🐾

Dr. Henry Foster, founder and chair of Charles River Laboratories, Foster’s attorney son, and Frankie Trull created NABR in Trull’s living room more than 20 years ago. Foster made clear the commercial value of promoting use of the maximum number of laboratory animals: “If you read the papers, everything seems to have carcinogenic effects. But that means more animal testing, which means growth for Charles River...so you can see why we continue to be enthused and excited.” (*The Wall Street Transcript*, May 21, 1979) Charles River has continued to expand since that time, recently opening a Gnotobiotics operation producing about 2,000 female mice per week and a new facility the company describes as “dedicated to the contract breeding and management of genetically engineered (transgenic, knockout and mutant) mice and rats.” If the Act encompasses birds, mice and rats, in addition to providing humane care and treatment, researchers will have to consider alternatives to the use of these animals—this objective conflicts with animal dealers’ interest in maximizing the sale and use of animals in experimentation.

Regrettably NABR convinced US Senator Thad Cochran (R-MS) to attach a mandate to USDA’s annual appropriation from Congress preventing the agency from conducting any activity related to birds, mice and rats during this fiscal year!

Much of the biomedical industry appears to be rallying behind NABR and, unfortunately, we anticipate a sustained effort by NABR and their cohorts to deny basic protections to the millions of birds, mice and rats subject to experimentation in the United States each year. 🐾



Rattling the Cage: Toward Legal Rights for Animals

By Steven M. Wise
362 pp. Cambridge, MA:
A Merloyd Lawrence
Book/Perseus Books.
\$25.

Rattling the Cage is a seminal study on the need to provide animals with legal rights within our man-made legal framework. Creatively developing from the shadows of traditional

theoretical animal rights writings, it provides a sensible blueprint for challenging the current paradigm that refuses to recognize non-human animals’ rights.

Steven M. Wise, attorney, Harvard Law professor and long-time animal activist, supports his theory by applying the logic of traditional jurisprudence to a previously unrecognized legal arena. Wise suggests that certain non-human primates should be provided with rights of “personhood” instead of the centuries-old tradition of “thinghood.” Wise posits that since chimpanzees and bonobos share over 98 % of human genetic code, it is illogical to exclude them from human legal protection. Furthermore, since they exhibit qualities, such as complex feelings, advanced mental capabilities, learning and teaching skills, they should be treated as our true next of kin. Wise wonders how the legal system can deny rights to any living, breathing, and feeling creature such as a chimpanzee or bonobo whose intelligence is comparable to that of a five-year-old human child. If we are a society of laws, then we cannot logically or credibly deny extending those laws to chimpanzees and bonobos, he writes.

Wise diligently traces the historical roots of human discrimination towards animals: from the earliest legal writings onward, animals have been considered mere “things” with no other purpose than to serve humans. Wise discusses the “thick impenetrable wall” of “thinghood” that has been artificially and intentionally built between humans and animals from the beginning of known civilization in Mesopotamia, through many centuries, including the classic period of Greece and Rome, the development of all Western religions, the Enlightenment, the American Revolution and even through the age of Darwinism.

The fact that Wise’s argument only endorses “personhood” for certain species should not detract from the book’s importance and impact. Each positive legal gain helps certain animals and incrementally advances us toward the goal of helping them all. This book’s messages and practical directions are vital to all animals; *Rattling the Cage* should enhance attorney’s legal training and enable them to protect animals within our legal system in more creative, functional, and successful ways. 🐾