

Chair

Jori Leszczynski, DVM,
DACLAM

Vice Chair

Robert Nobles, DrPH, MPH

Secretary

Megan Kasimatis Singleton,
JD, MBE, CIP

Treasurer

Martha Jones, MA, CIP

Members

Allyson J. Bennett, PhD

Quincy J. Byrdsong, EdD, CIP,
CCRP

Brenda Curtis, PhD, MsPH

Rachele Hendricks-Sturup,
DHSc, MSc, MA

David Augustin Hodge, Sr.,
DMin, PhD

David Litwack, PhD

Holly Fernandez Lynch,
JD, MBE

Vickie M. Mays, PhD, MSPH

Gianna McMillan, MA, DBe

Helen O'Meara,
MS, CPIA, LSSGB

Desmond Upton Patton, PhD,
MSW

Suzanne Rivera, PhD, MSW

Stephen Rosenfeld, MD

Ex Officio

Elisa A. Hurley, PhD

Submitted electronically at <https://www.regulations.gov>

April 10, 2023

Jennifer Moffitt
Undersecretary for Marketing and
Regulatory Programs
USDA APHIS Animal Care
4700 River Road, Unit 84
Riverdale, MD 20737

RE: Docket No. APHIS-2022-0022 Wild and Exotic Animal Handling,
Training of Personnel Involved with Public Handling of Wild and Exotic
Animals, and Environmental Enrichment of Species.

Dear Ms. Moffitt,

Public Responsibility in Medicine and Research (PRIM&R) appreciates the opportunity to comment on the United States Department of Agriculture (USDA) Advance Notice of Proposed Rulemaking on *Wild and Exotic Animal Handling, Training of Personnel Involved with Public Handling of Wild and Exotic Animals, and Environmental Enrichment of Species*, published in the *Federal Register* on January 9, 2023.

PRIM&R is a nonprofit organization dedicated to advancing the highest ethical standards in the conduct of research. Since 1974, PRIM&R has served as a professional home and trusted thought leader for the research protections community. Through educational programming, professional development opportunities, and public policy initiatives, PRIM&R seeks to ensure that all stakeholders in the research enterprise appreciate the central importance of ethics to the advancement of science.

PRIM&R's comments below are focused exclusively on the proposed rule on environmental enrichment of all regulated animals, which includes certain species that are used in biomedical and behavioral research.

PRIM&R strongly endorses regulatory requirements for environmental enrichment of all species, not just nonhuman primates and marine mammals that are covered under current regulations (9 CFR §3.81 and §3.100, respectively). And similar to existing requirements for nonhuman primates and marine mammals, environmental enrichment standards for other species should also be evidence-based, rather than based on non-scientific approaches, such as anthropomorphism and/or

colloquial experience. Given the dearth of information on and understanding of the needs of many of the other species that are covered under the Animal Welfare Act (AWA), there is a pressing need for substantial investment in the science of enrichment and behavioral management. Thus, **PRIM&R recommends that, before establishing environmental enrichment standards for all other AWA covered, species, USDA support research in areas such as animal behavior, comparative psychology, and ethology to better elucidate environmental needs that sustain the wellbeing of different species.** In addition, any requirements that are promulgated will necessarily have to be revised as our understanding of different species evolves over time.

PRIM&R also notes the USDA proposal to allow registrants to use their own expertise to determine the specific measures needed to meet proposed requirements will impose a significant administrative as well as financial burden on registered facilities. This is yet another reason for USDA to ensure that proposed standards are based on strong scientific evidence.

In the interest of ensuring that enrichment efforts are indeed conducive to the wellbeing of covered species, it is also essential that measures adopted by registered facilities to implement performance standards issued by the USDA be shaped by individuals with adequate knowledge and experience with the specific species being maintained. Often it may be the researchers rather than the attending veterinarian who are most familiar with the specific species. Thus, **PRIM&R recommends that the language in §3.81 be amended to read as follows:**

The plan must be in accordance with the currently accepted professional standards as cited in appropriate professional journals ~~or reference guides~~, and as directed by with responsibility assigned to the attending veterinarian, who should work in consultation with the researcher(s) with demonstrable experience with the specific species.

Thank you again for the opportunity to provide comments on USDA proposed rulemaking on environmental enrichment for all species covered under the AWA. We hope that our comments are useful to USDA in this effort. PRIM&R stands ready to provide any further assistance or input that might be of use. Please feel free to contact me at 617.303.1872 or ehurley@primr.org.

Sincerely,



Elisa A. Hurley, PhD
Executive Director

cc: PRIM&R Public Policy Committee, PRIM&R Board of Directors