Respectfully submits the following position on:

*Wayne State University Animal Testing*

The Animal Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Animal Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Animal Law Section is 185.

The position was adopted after an electronic discussion and vote. The number of members in the decision-making body is 15. The number who voted in favor to this position was 13. The number who voted opposed to this position was 1.
February 7, 2014

Debbie Dingell
Chair, Board of Governors
Wayne State University
656 West Kirby
Room 4231 FAB
Detroit, MI 48202

Dear Ms. Dingell:

On behalf of the Animal Law Section of the State Bar of Michigan, we are writing to express our concern regarding the use of live dogs in invasive and deadly heart failure experiments at Wayne State University. We are concerned with Wayne State’s practices related to these experiments, in which multiple surgeries are performed on dogs and the animals are forced to run on treadmills. In addition, we are alarmed by the use and killing of dogs in experiments that are scientifically unsound and unnecessary to improving public health.

Based upon our review of regulations promulgated pursuant to the Animal Welfare Act, 7 USC 2131 - 2159, including but not limited to those requiring that “The IACUC shall determine that the procedures involving animals will avoid or minimize discomfort”, 9 C.F.R. § 2.31(d)(i), we believe that these experiments conducted by Wayne State University violate the Act. For many years, Wayne State acquired dogs from notorious “random source” class B dealers, who obtained those animals from Michigan shelters. In July 2012, the U.S. Department of Agriculture (“USDA”) stated that it believed Howard City, Mich.-based animal dealer R&R Research had “willfully violated the [federal] Animal Welfare Act.” According to the USDA, R&R obtained dogs and cats from illegal sources on five different occasions in 2008, when Wayne State was still purchasing dogs from the dealer for use in heart failure experiments.

More recently, an investigation was conducted by the Michigan Department of Agriculture & Rural Development (“MDARD”) into the failure to file legally required veterinary health certificates with MDARD for dogs imported by Wayne State for use in heart failure experiments. The agency concluded that the records had not been filed, although it took no further action against the university.
In light of the above, and considering the ethical concerns related to using dogs in highly invasive and deadly experiments, and the availability of human-based research methods for acquiring knowledge of cardiovascular disease, the Animal Law Section of the State Bar of Michigan urges the Wayne State University Board of Governors to compel school leaders and faculty to halt the use of dogs in heart failure experiments.

Thank you for your time and attention to this important issue.

Very truly yours,

Jennifer L. Pierce, J.D.
Chair, Animal Law Section