

Poster: ethical and legal aspects in animal experimentation

Challenging the legal basis of the rodent carcinogenicity test in UK

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The United Kingdom's Animals (Scientific Procedures) Act 1986 contains a legal provision obliging the government to undertake a cost-benefit assessment before licensing any scientific procedure on an animal. The rodent carcinogenicity bioassay has long been identified as a highly problematic animal test, producing data of doubtful reliability and relevance in assessing the cancer risk posed by chemicals. People for the Ethical Treatment of Animals (PETA) examined the utility and welfare implications of the bioassay to assess whether it meets the requirements of the cost-benefit test. Utility was assessed by analysing data from more than 500 studies available publicly on the US National Toxicology Programme's database. The available data indicated poor concordance of rat and mouse data; high number of inadequate studies; and lack of relationship between test results and final classifications of carcinogenic risk awarded to chemicals by regulatory bodies such as the US Environmental Protection Agency and the International Agency for Research on Cancer. Analysis of welfare implications demonstrated aspects of the test that could be classified as causing moderate or severe suffering. We concluded that the scientific failings of the test may justify a conclusion that the cost to the animals involved exceeds any benefit, and identified the assay as a possible candidate to challenge the UK government's application of the law, by means of judicial review. However, meeting the requirements for a successful legal challenge was difficult due to a lack of available information regarding relevant aspects of the use of this assay in the UK, partially due to a specific exclusion for animal experimentation under the UK's Freedom of Information legislation. The value of animal protection legislation is compromised where there is not a concomitant legal right to the information that would allow proper evaluation of its implementation and enforcement.

References

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