CHAPTER THREE

Animal Welfare Regulations and Nursery Rearing

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The subject of this chapter is U.S. animal welfare regulations as they pertain to infant nonhuman primates, along with possible changes that have been discussed in the past few years. The goal is to summarize administrative considerations and daily operations that are necessary to comply with existing animal welfare regulations, and to prepare for anticipated changes that may impact nursery rearing of nonhuman primates. The intent is not to regurgitate all of the regulations but to provide an overview of those that apply to nonhuman primates in general, and to identify those rules that especially pertain to infants, whether or not they are nursery reared.

1. HISTORY AND OVERVIEW OF REGULATIONS

Animal welfare regulations vary from country to country (Bayne and deGreeve, 2003). In the United States, they originate from the Animal Welfare Act (AWA) that was passed by Congress in 1966 and amended in 1970, 1976, 1985, and 1990. Certain animals that are bred for commercial sale, transported commercially, exhibited in zoos, or used in research are covered by the AWA and must be provided with care and...
treatment that meet or exceed minimum standards. These standards pertain to veterinary care, housing, sanitation, food and water, environmental temperature, and protection from extreme weather conditions. Some categories of animal, such as purpose-bred rats and mice, birds, reptiles, privately owned pets of any species, and animals in retail pet shops, are not covered by the AWA. The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) administers the standards and regulations required by the AWA. Regulated facilities are subject to unannounced inspections by the USDA to evaluate compliance with the regulations. Much of the information cited here is available on the USDA website, www.aphis.usda.gov/ac/publications.html.

The 1985 Amendment to the AWA introduced the concept of psychological well-being of nonhuman primates to the regulatory environment. This amendment led to the current U.S. Animal Welfare Regulations pertaining to captive nonhuman primates held by research facilities, zoos, and dealers (U.S. Department of Agriculture, 1991). The regulations specify minimum cage sizes, based primarily on body weight, and the requirement that “Dealers, exhibitors, and research facilities must develop, document, and follow an appropriate plan for environment enhancement adequate to promote the psychological well-being of nonhuman primates” (U.S. Department of Agriculture, 1991, §3.81). Cage-size regulations fall in the category of “engineering standards” because they are based on straightforward measurements of the physical environment. However, the environmental enhancement regulations imply a “performance standard” because “promotion of psychological well-being” is the stated goal. For details on the distinction between these two types of standard, see The Guide for the Care and Use of Laboratory Animals [National Research Council (Institute for Laboratory Animal Research), 1996]. Although examples of elements considered important in an environmental enhancement plan were listed in §3.81, institutions were required to write, implement, and document their own plans, to be tailored for the type of facility and species housed therein. The USDA did not specify strict engineering standards but suggested areas that facilities must address to pass this part of the inspection. By stating that the environmental enhancement plan must be “in accordance with currently