

**Subpart 55-1 of 10NYCRR**  
**Approval of Laboratories and Institutions for Use of Living Animals**

**Section 55-1.1 Purposes for which approval may be granted.**

- (a) Approval may be granted laboratories and institutions for the use of living animals in properly performed or conducted scientific tests, experiments, or investigations, including educational demonstrations. Living animals include living mammals and birds.
- (b) Approval will not be granted to laboratories or institutions for the use of living animals unless evidence is presented that the general research or teaching program of the institution or laboratory will contribute to the understanding of the problems of human or animal health.

**Section 55-1.2 Eligibility for approval.**

Only laboratories or institutions will be approved in which the use of living animals for the above purposes will be under the immediate supervision of persons qualified by training and experience to conduct scientific work.

**Section 55-1.3 Method of approval.**

Application for approval shall be made on forms provided by the State Department of Health. Approval will be granted to a laboratory or institution in the name of the person who is the highest level administrator in that laboratory or institution. The certificate of approval is not transferable and the State Department of Health shall be advised promptly if the individual in whose name approval has been granted shall cease to be in charge.

**Section 55-1.4 Responsibility.**

- (a) The individual whose name appears on the certificate of approval shall be responsible for all of the experimentation that involves the use of living animals in the designated laboratory or institution. Such individual shall designate one person to be in charge of animal care. That person shall be responsible for the animals' care regardless of whether that person is physically within or away from the laboratory or institution.
- (b) The laboratory or institution shall have an animal care committee which shall review the propriety of the procedures used and the scientific justification for the use of animals in experiments, tests, and investigations, including educational demonstrations.

**Section 55-1.5 Care and treatment of animals.**

- (a) The laboratory of institution shall give careful consideration to the humane treatment of animals wherever located. This includes any off-premises locations which are not considered part of the laboratory or institution. The food given to the animals shall be wholesome and in sufficient quantity for the type of animal and scientific tests. The animals' quarters shall be kept clean, well lighted and ventilated and be maintained at a proper temperature. Quarters or cages of suitable size shall be provided so that each animal may stand, sit, and lie in a normal position and turn around with ease. All quarters and cages shall be kept

clean, and after they are vacated and before they are reoccupied shall be cleaned by procedures suitable to prevent spread of communicable diseases.

- (b) Laboratories and institutions providing transportation for animals must arrange for their humane handling during their transportation to and from the laboratory or institution.
- (c) Pain and discomfort shall be minimized by proper use of tranquilizers, analgesics, and anesthetics. Exceptions may be made when provisions for maximum comfort, including the use of tranquilizers, analgesics and anesthetics, would defeat the purpose of the experiment. Any exceptions are to be made only after having received the recommendations of the person in charge of animal care.
- (d) If animals are to be killed they must be killed humanely.
- (e) Humane methods for killing animals shall include but not be limited to the following:
  - (1) inhalant agents such as carbon dioxide for small rodents;
  - (2) non-inhalant pharmacological agents such as:
    - (i) barbituric acid derivatives; and
    - (ii) a combination of chloral hydrate, magnesium sulfate and sodium pentobarbital for large animals;
  - (3) physical methods such as decapitation for small animals.
- (f) Inhumane methods which are prohibited shall include but not be limited to the following:
  - (1) non-inhalant pharmacological agents such as:
    - (i) chloral hydrate alone;
    - (ii) strychnine;
    - (iii) magnesium sulfate alone; or
    - (iv) curariform drugs or agents with curariform activity;
  - (2) physical methods such as:
    - (i) drowning; or
    - (ii) exsanguination without causing prior unconsciousness.

**Section 55-1.6 Interpretation.**

In meeting the requirements of this Subpart for adequate sanitation, ventilation, food, temperature and space, the standards set out in the latest edition of the "Guide for the Care and Use of Laboratory Animals," DHEW Publication No. (NIH) 78-23, published by the U.S. Department of Health and Human Services, shall be used as a guide.

**Section 55-1.7 Applicability.**

This Subpart shall not apply to elementary or secondary schools under the jurisdiction of the State Education Department.