



Report of the Primary Production Committee

Petition of Tara Jackson: Petition to take steps to transition away from the use of animals in science

August 2023

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Steph Lewis
Chairperson

Petition of Tara Jackson

Recommendation

The Primary Production Committee has considered the petition of Tara Jackson—Petition to take steps to transition away from the use of animals in science—and recommends that the House take note of its report.

Request to take steps away from the use of animals in science

The petition was presented to the House on 7 June 2022. It requests:

That the House of Representatives pass legislation that provides for scientific institutions to transition from animal-based methods to non-animal-based methods for research, testing and teaching purposes wherever possible and note that 22,149 people have signed a similar online petition.

The petitioner, Tara Jackson, submitted that requirements for animal testing in current legislation leave no room for validated animal-free testing methods to be used. She said that there is genuine appetite within the animal science and research industry to replace the use of animals in research, testing, and teaching (RTT).

The petition was referred to the Primary Production Committee on 28 July 2022. We received submissions from the petitioner, the Ministry for Primary Industries (MPI), the Ministry of Business, Innovation and Employment (MBIE), and the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA).

Comments from the petitioner

The petitioner presented three main proposals to the Government, which are to:

- allocate funding for the use and development of non-animal-based RTT
- commit to phasing out the use of animals in science as technology permits
- commit to phasing out the legislative requirements for the use of animals in science.

The petitioner submitted that organisations within the science and research community support these goals in principle. We heard that this support was arrived at after the petitioner invited over 100 organisations to provide feedback about the petition's aims. The organisations were institutes that were issued with a code of ethical conduct, as well as Universities New Zealand, and agencies involved in the RTT industry.¹ Ten organisations are listed by the petitioner as having responded to the survey, several of which gave conditional support to the petitioner's proposals.

¹ A summary of feedback from 10 organisations is available on page 2 of the [petitioner's written submission](#).

The Animal Welfare Act 1999

The Animal Welfare Act 1999 provides general obligations to meet the needs of animals, and to alleviate any unreasonable or unnecessary pain and distress. The use of animals in RTT is covered by Part 6 of the Act, *Use of animals in research, testing, and teaching*.

Part 6 of the Act has several purposes, including to ensure that:

- the use of an animal in RTT will bring benefits to humans, other animals, and ecosystems
- the likely harms an animal will experience if used in RTT do not outweigh the benefits gained from their use
- any degree of pain or distress is reduced to the minimum amount possible.

Part 6 promotes efforts to replace animals as subjects for research and testing by substituting, where appropriate, non-sentient or non-living alternatives. It also promotes efforts to replace animals used in teaching by substituting non-sentient or non-living alternatives, or by imparting the information in another way.

The petitioner said that few countries in the world legally recognise the importance of replacing animals used in RTT. She therefore believes the Government should “consider the opportunity to advance New Zealand’s reputation as world leading in protecting animals”.

Any RTT work using animals that is proposed by researchers in New Zealand must gain approval from an animal ethics committee (AEC). AECs are overseen by the Ministry for Primary Industries. AECs must be confident that researchers have fully addressed the “3 Rs” in their application. The 3 Rs are internationally accepted principles for the use of animals in RTT. They are the:

- replacement of animals with non-sentient or less sentient alternatives
- reduction in animal numbers to the minimum required for statistical significance
- refinement of procedures to ensure the minimum possible impact on animal welfare.

Under Section 100 of the Act, AECs must consider whether a suitable alternative to using animals is available when assessing any application.

Animal Welfare Matters is New Zealand’s animal welfare strategy, established under the Act.² The strategy states that New Zealand’s welfare standards need to keep pace with society’s ideas of humane treatment and good practice. The strategy notes that “continued investment in animal welfare science is essential for New Zealand”. The petitioner submitted that, without funding for non-animal-based RTT, New Zealand’s scientific community is unable to uphold the animal welfare strategy.

² [You can read the strategy here.](#)

Funding for non-animal research methodologies

The petitioner submitted that the Government should deprioritise funding for animal-based research. The petitioner wants funding allocated to use or create non-animal-based, human-relevant research methods, and infrastructure for these research methods.

The petitioner told us that there is consensus within the animal science and research industry that the Government should allocate funding for the use and development of non-animal-based RTT. We heard that no-one in the science and research community wants to use animals for research, due to the high financial, compliance, and psychological costs.

We were told that the global market for non-animal testing alternatives is forecast to reach over NZ\$4 billion by 2026. The petitioner said that, while other countries are investing millions into non-animal-based RTT, New Zealand has no money allocated to it. New Zealand therefore risks being outpaced as a leader in animal welfare.

The petitioner noted that the *Aotearoa New Zealand John Schofield 3 Rs Implementation Award* appears to be the only funding available related to replacing animal use in RTT. The award, which provides \$10,000 biennially for significantly implementing the principles of the 3 Rs, is retrospective. It cannot be used to implement or develop animal-free research methods.

The petitioner pointed out that MPI's Sustainable Food and Fibre Futures fund is a source of investment for research involving the 3 Rs. However, no specific amount of the \$40 million per year fund is allocated to research involving the 3 Rs.

We asked whether the petitioner wants government funding to enable the use of animal-free technologies that are available overseas, or to develop new technologies. The petitioner told us that, although much progress is being made on animal-free research methodologies in other countries, further development is needed. We heard that a lack of investment in these areas means that New Zealand is lagging behind.

Phasing out the legislative requirement for animal testing

The petitioner told us that there is widespread desire in the scientific community for the Government to lead the phasing out of the use of animals in science. We heard that commitment from the Government is needed to unite the scientific community, and to encourage consistent progress in science and animal welfare. Without Government action on this point, the petitioner believes New Zealand could operate policies that run counter to the Animal Welfare Strategy.

The petitioner wants the Government to commit to phasing out legislative requirements for the use of animal testing for veterinary medicines, human medicines, human medical devices, and hazardous substances. She said that legislative requirements are delaying progress, and leave no room for validated, animal-free methods to be used.

We heard that only small adjustments to legislation are needed to enable scientists to develop animal-free, human-relevant research methods. The petitioner believes that this would advance the integrity and quality of New Zealand science, thereby improving the health and well-being of people and animals.

We asked about the research and testing methods being used overseas that cannot be used in New Zealand. The petitioner said that there are “amazing” animal-free, human-relevant research methods being used, such as the computer modelling of organoids.³ However, the issue is not so much the inability to use existing animal-free research methods, but that existing legislation requires animal testing. The petitioner gave the example of animal-test data requirements for the eye corrosion test under the Hazardous Substances and New Organisms Act 1996.

Some of us are concerned about the effect on bovine and ruminant pharmaceuticals if animal testing were to be phased out. We asked whether scientific development in New Zealand would slow down in this case.

The petitioner clarified that she is not asking for an absolute end to animal experimentation, but rather setting it as an end goal, technology permitting. The petition’s aim is to remove the barriers that prevent progress towards that goal, and to reduce the number of animals used in testing. Rather than stopping animal-based RTT methods, additional methods would become available, given sufficient funding. Removing the legislative requirement for animal testing would enable researchers to use other validated tests. We heard that, as long as funding is allocated and appropriate regulations are developed, “the science itself will drive the timeline”.

The petitioner also proposed an independent body for animal welfare, and that each animal ethics committee should contain an expert in non-animal research methods.

Comments from the Royal New Zealand Society for the Prevention of Cruelty to Animals

The RNZSPCA said it supports ongoing training of AEC members to improve the quality of ethical review, with an emphasis on the 3 Rs. While animals continue to be used for RTT in New Zealand, the RNZSPCA advocates that the 3 Rs be continuously improved.

The RNZSPCA said it supports the public sharing of information about the use of animals in RTT. It also said it advocates increased transparency for how animals are obtained, held, or used in RTT facilities and locations.

The RNZSPCA agreed with the petitioner that legislation should be amended to require that non-animal-based RTT methods be used over animal-based methods, where they exist. We were told that the use of non-animal alternatives to animal cadavers in classroom dissection has repeatedly been demonstrated as being just as good, or even better, for student learning outcomes.

In 2019, the United States’ Environmental Protection Agency announced that it would stop conducting or funding studies on mammals by 2035. The RNZSPCA said that this “signals that eliminating the use of animals in testing is achievable from a regulatory point of view and viable for good science”.

³ Organoids are three-dimensional tissue cultures grown from stem cells.

Comments from the Ministry for Primary Industries

MPI told us that New Zealand has some of the most progressive animal welfare legislation in the world. It said that the care and welfare of animals in New Zealand is regulated by a comprehensive framework of primary and secondary legislation.

MPI is responsible for administering the Animal Welfare Act, including the management of, and practices for, RTT involving animals. It told us that its work to improve animal welfare practices underpins and protects New Zealand's reputation for ethically produced products. Further, MPI said it does not support the use of animals in research if appropriate alternatives exist.

MPI told us that a complete cessation of animal use in RTT is not currently feasible. We heard that the use of live animals in RTT plays an important role in expanding New Zealand's veterinary, biological, and medical knowledge. It has benefits for both humans and animals. MPI also stated that provisions in Part 6 of the Act recognise that, due to the nature of RTT, general obligations under the Act may not be met some of the time.

How New Zealand's free trade agreements account for animal welfare

We understand that both the New Zealand–United Kingdom Free Trade Agreement (FTA) and the New Zealand–European Union FTA contain chapters on animal welfare as it applies to farmed animals. In these chapters, animals are recognised as sentient beings (as defined in each party's animal welfare laws and regulations). In addition, both FTAs contain provisions relating to animal testing for cosmetics products. New Zealand banned the use of animals for the testing of finished cosmetic products and ingredients through a 2015 amendment to the Animal Welfare Act.

How animals are used in research, testing, and teaching in New Zealand

MPI told us that animal ethics committees must carry out a cost–benefit analysis for each application for RTT involving animals. The higher the cost to the animal, the greater the expected benefit must be to people, other animals, or the environment. MPI said that the 3 Rs are fit for purpose, and make a significant contribution to promoting improved animal welfare applications for animals used in RTT activities.

MPI told us that production animals (such as cattle and sheep), rodents, and fish are the main types of animals used in RTT in New Zealand. Organisations using animals in RTT must indicate a category that describes the purpose of each approved animal ethics application. MPI's report on statistics on the use of animals in research notes that biological research accounts for 30.3 percent of animals used in RTT, and veterinary research accounts for 14.1 percent.⁴

Proposal that legislation be amended to phase out animal testing

MPI acknowledged the petitioner's proposals for an independent body for animal welfare. It noted that the National Animal Ethics Advisory Committee already provides an independent voice with respect to animals used in New Zealand RTT. Members of the committee are appointed by the Minister of Agriculture. The members are required by section 64 of the

⁴ [You can read the report here.](#)

Animal Welfare Act to be collectively knowledgeable and experienced in a range of matters. They include the commercial use of animals in RTT, animal welfare, and ethical standards and conduct in respect to animals.

MPI said that section 101 of the Act also includes a requirement for three external members of the AEC who are not directly involved with RTT. They include a veterinarian, an animal welfare representative nominated by the RNZSPCA, and a layperson nominated by a territorial authority or local council. MPI said that these individuals would be motivated to promote the use of alternative methods when discussing applications.

Further, regarding the petitioner's proposal for a committee expert on non-animal research methods, MPI considers that the external members are well placed to provide insight and perspective about such methods. It noted that, due to New Zealand's finite skills pool, it would be difficult to effectively implement this proposal.

MPI said it also has multiple other teams to support animal welfare and animal ethics work programmes. They include the animal welfare science policy teams, the sector liaison team, and the animal welfare emergency management team.

Proposal to allocate funding for non-animal-based research methods

MPI acknowledged the petitioner's requests for funding that would enable the development and use of non-animal-based, human-relevant research methods, as well as the infrastructure to make them possible. It recognised that no fund currently exists that is restricted to developing alternatives to using animals in RTT.

However, MPI noted that a growing number of funding opportunities can be sought for such projects. It mentioned the John Schofield 3 Rs Award, and the Sustainable Food and Fibre Futures fund. MPI also said that research funding opportunities that could support the development, implementation, and use of alternatives are available through MBIE.

Proposals for greater transparency around animals used in RTT

MPI said it is committed to supporting initiatives that would provide greater transparency around using animals in RTT. It cited the *Openness Agreement on Animal Research and Teaching in New Zealand*, launched at the 2021 conference of the Australian and New Zealand Council for the Care of Animals in Research and Teaching.⁵ MPI said that signatories are working to fulfil the commitments outlined in the agreement.

We understand that the Animal Welfare (Records and Statistics) Regulations 1999 require any organisation or individual using animals in RTT to provide detailed information about those animals to MPI each year. MPI collates and analyses the information, and publishes it on its website. MPI told us it is working to publish additional information on the website to increase openness and transparency. This includes datasets that will allow people to directly view and manipulate the data.

⁵ [You can read about the Openness Agreement here.](#)

MPI said it is committed to ensuring that greater openness and transparency are integrated into the process of AECs approving animal use in RTT. It expects that AECs will ensure that repetition of experiments is avoided.

Comments from the Ministry of Business, Innovation and Employment

In its written submission in May 2023, MBIE said it supports openness and transparency in the use of animals in research. However, it stated that, given its role to provide neutral advice to support ministerial decision-making, it was unable to take a public position at this time.

MBIE commented that Crown Research Institutes and other scientific institutions could transition from animal-based to non-animal-based research methods for RTT “if they chose to on an institutional level”. MBIE noted that the sector can make submissions about the research funding opportunities that MBIE provides that could support the development, implementation, and use of alternatives.

MBIE said it does not make any specifications about the particular research methodology used. However, if it was directed to consider a particular research methodology, it would need to undertake the appropriate policy process to develop a position on it.

Our response to the petition

We acknowledge the significant amount of work completed by the petitioner on this petition, including collaboration with other organisations. We thank the petitioner for setting out the results of consultation with other organisations clearly. We recognise the conditional support given by several organisations to the petition’s goals.

We consider it important that New Zealand progress its scientific development of research methodologies. We encourage the Government to comprehensively investigate possibilities for progress and fruitful development.

Appendix

Committee procedure

The petition was referred to us on 28 July 2022. We met between 4 August 2022 and 24 August 2023 to consider it. We received written submissions from the petitioner, the Royal New Zealand Society for the Prevention of Cruelty to Animals, the Ministry for Primary Industries, and the Ministry of Business, Innovation and Employment. We heard oral evidence from the petitioner.

Committee members

Steph Lewis (Chairperson)
Mark Cameron
Nicola Grigg
Anna Lorck
Hon Todd McClay
Joseph Mooney
Soraya Peke-Mason
Angela Roberts

Evidence received

The documents we received as evidence in relation to this petition are [available on the Parliament website](#).

Recording of our hearing

A recording of our hearing can be accessed here:

- [Hearing of evidence with the petitioner, 4 May 2023](#).