

The Legality of Animal Testing

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The legality of animal testing is highly contested, shaped by a complex balance of laws, regulations, and ethical debates. While animal testing is allowed under strict regulation through legal frameworks such as the Animal Welfare Act, the NIH, and the Food, Drug, and Cosmetic Act, it continues to spark controversy about its necessity in light of its ethical implications. Even so, it proves to be a necessary tool to assess the safety of substances that may be vital to human health. When considering this, should the needs of humans be prioritized over the well-being of animals? While animal testing may be legal within its current regulatory structure, its continued practice is increasingly difficult to justify, knowing that legal protections for animals are inadequate and viable non-animal alternatives exist.

Animal testing refers to the use of non-human animals in scientific experiments in order to assess the safety and efficacy of drugs, chemicals, and medical procedures. It's often used in biomedical research and pharmaceutical development, where animal models are relied on in order to simulate human responses to certain substances. While often justified as a necessary step to protect human health, animal testing is deeply controversial due to the ethical implications of it. From a legislative perspective, one of the primary justifications for animal testing is the Federal Food, Drug, and Cosmetic Act (FDCA) which requires that new drugs and consumer products be proven safe before being released to the public. While this act no longer explicitly mandates animal testing, animal data is often treated as the gold standard in proving both safety and effectiveness. Scientifically, many argue that animal testing has contributed to major medical breakthroughs, including the polio vaccine, HIV treatments, and certain forms of chemotherapy. As such, animal testing appears crucial to society.

Animal testing is deeply embedded in history, often involving frameworks that are aimed at regulating the practice rather than getting rid of it altogether. The most prominent federal law governing animal experimentation is the Animal Welfare Act (AWA). This law was enacted in 1966 in response to public concern over the widespread mistreatment and abuse of animals in the laboratory. It requires breeders to meet the standards of animal care set by the AWA. While the AWA marked a significant step in acknowledging the need for regulation, its protections are limited. The Animal Welfare Act excludes animals that are not warm-blooded, including mice, rats, and birds. The AWA also fails to regulate the treatment of farm animals, which are under the guise of state and local laws. This limitation has left millions of animals without legal protection. In research institutions that receive federal funding, oversight is further governed by the Institutional Animal Care and Use Committee (IACUC). The primary function that the IACUC serves is to ensure that institutions that utilize animals for research and testing purposes adhere to federal, state, and local guidelines. However, critics do argue that the IACUC often approves most proposals, raising doubts about its effectiveness. In addition, the National Institutes of Health (NIH) and the Public Health Service (PHS) mandate compliance with guidelines like the *Guide for the Care and Use of Laboratory Animals*. Though these laws may have loopholes, they do make an effort to curb the unfair treatment of animals.

Animal testing today faces growing legal and ethical criticism, as new technologies offer better and more humane alternatives. Legally, the system that governs animal testing is full of gaps. The Animal Welfare Act, the main federal law meant to protect animals in labs, fails to protect many common species like birds and rats. While oversight bodies like the IACUC are supposed to review and approve experiments, they often operate within the same institutions doing the research, raising concerns about their objectiveness. In 2022, Congress passed the FDA

Modernization Act 2.0, removing the requirement that new drugs be tested on animals before human trials. Advances in non-animal testing methods like human cell cultures and computer modelling are proving to be accurate and more effective than traditional animal tests. A number of states like California and New York have also banned animal testing in beauty products, reflecting the push for a cruelty-free consumer culture. This shift has also brought growing pressure on corporations, especially in industries like cosmetics and pharmaceuticals to take responsibility for their role in animal testing. Some companies have committed to cruelty-free practices and transparent labeling. Corporate responsibility plays a key role in either accelerating or delaying progress, since the decision to test on animals happens in the private sector. As science and technology advance, the future of animal testing is increasingly tied to the development and acceptance of effective alternatives. Animal testing was considered the gold standard for assessing the safety of drugs, chemicals, and cosmetics. In recent times, modern alternatives are proving not only more ethical but more accurate and cost-effective.

Internationally, the movement against animal testing has gained significant traction. Over 40 countries have banned cosmetic animal testing to some degree, and all member states of the European Union have banned animal testing for cosmetics since 2013. It also bans the sale of products that have been tested on animals elsewhere. These laws reflect the growing global consensus that animal cruelty is unacceptable for non-essential products when clear alternatives exist. The OECD (Organisation for Economic Co-operation and Development) has helped countries move away from animal testing by developing and approving alternative testing methods. These OECD guidelines are recognized across borders, helping companies to avoid repeating tests and encouraging the use of non-animal methods. Cruelty free products can now meet safety standards globally without the use of animals. However, not all continents are on the same page; Asia and

the North American continent largely practice animal testing, and in some cases even require it. However, the future of testing appears to be moving away from harmful methods.

While animal testing remains legal, and in some cases, still widely used, that alone doesn't make it ethically sound or scientifically necessary. The legal protections currently in place are limited and many of the animals most commonly used in research receive little to no protection at all. At the same time, advancements in science have introduced alternative methods that are more humane and accurate. As these technologies continue to improve, the gap between what is legal and what is ethical becomes harder to ignore. As a society, if the goal is to protect public health while upholding basic standards of ethics, then moving away from animal testing isn't just a possibility, but a responsibility.

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