

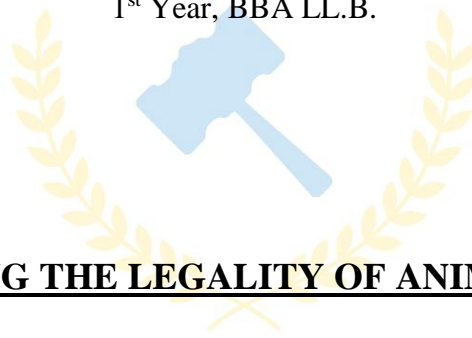
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**QUESTIONING THE LEGALITY OF ANIMAL TESTING****ABSTRACT:**

*“The question is not, **Can they reason?** Nor, **Can they talk?** But, **Can they suffer?**”*

- **By Jeremy Bentham**

The question asked by Sir Jeremy Bentham is about our fellow living creatures specifically the animals and the answer to this question is definitely a ‘Yes’ because the law of nature is same for all living specie on this earth. We humans got the highest intellect with a conscious mind, and that doesn't mean that other living creatures subsist a worthless life. The way we feel happiness, pain, sufferance, pleasure, they also feel the same. Being the stakeholders with more consciousness we can't always use animals for our own benefits.

Animal Testing is a negative aspect of the Scientific World. Animals are being used for biomedical research since time immemorial from the time of Greek Scientists like Aristotle. Many country has now declared testing of medicines, cosmetics, and other products on an animal as illegal, profoundly testing of cosmetics products on animals has been illegalized by many countries like European Union, New Zealand, Australia, India etc., believing this practice as a cruel and inhumane behaviour against an innocent life. Many other countries like China, considers animal testing as legal and mandatory for the development of biological and physiological knowledge. It may be justified for the advancement of the scientific knowledge and study but to the extent that it ensures the safety of the animals involved in the experimentation. Each year over 100 millions of animals are experimented worldwide. Animal Welfare Act does not ensure the rights of the animals on which the toxicity of the products are tested. There exists many alternatives to this inhumane treatment of the animals just for the sake of safety of the human beings.

KEYWORDS:

Living creatures, conscious mind, sufferance, animal testing, biomedical research, inhumane behaviour

INTRODUCTION:

This research paper right away questions the legality of experimenting millions of animals every year without paying any heed to the pain, the uneasiness and fear they suffer. The term “animal testing” refers to procedures performed on living animals for purposes of research into basic biology and diseases, assessing the effectiveness of new medicinal products, and testing the human health and/or environmental safety of consumer and industry products such as cosmetics, household cleaners, food additives, agro-chemicals.¹We will see which organisation specifically protects the rights of the mute(s). We will see the condition of animals in laboratories in India and other countries, what all steps has been taken by the Indian Federal System for the animals who are being ill treated in this process. We will see what could be the alternative for animal testing and what are the facts that makes this process non worthy to be legal.

GENERAL VIEW ON EXPERIMENTATION OF ANIMALS :

Animal Testing is a harsh reality of our developing world, every year millions of animals are injected with harsh chemicals, are forced to inhale toxic fumes may be for the whole day, their skin is burned, holes are drilled into their skulls, they are infected with a disease in order to assess the effectiveness of pharmaceutical drugs and vaccines, for finding out the toxicity of the cosmetic and other washing and cleaning products and their effect on the human skin, they are kept in very non- natural environment, in a small cages , isolated hence, causing a sense of depression, anxiety and fear and during this experimentation most of the animals die and some of them are left to be used for subsequent experiments. So the safety of a human being is confirmed on the cost of an innocent life who cannot speak if it pains who cannot express its feelings. And these experiments are unsuccessful to the extent that 92% of the cases fails on the human beings which were successful while testing the product on the animals, and in that case we end up losing millions of innocent lives.

The types of animals which are included in this experimentation process includes mice, rabbits, guinea pigs, hamsters, dogs, cats, rats, fish, farm animals, non- human primates (apes, monkeys and chimpanzees in some countries).

¹*About Animal Testing*, Humane Society International, <https://www.hsi.org/news-media/about/> (last accessed on 21.02.2022)

One of the main reason behind the continuation of animal testing is that spending on human subjects wouldn't be just more expensive, but we can find it to be more disturbing for the other scientists and researchers, because it would be a difficult task for a rationale human being to see another human being endure and suffer because of his/ her actions, right? But since animals can't express the pain or distress they are going through, they are the ultimate substitute, and more over it costs much cheaper to carry on these tests on animals.

AGONIZING FACTS ABOUT ANIMAL TESTING:

- Every year, in excess of 110 million animals including mice, frogs, canines, rabbits, monkeys, fish, and birds-are killed in U.S. labs.
- 95% of all antidotes that are demonstrated to be safe and powerful in animal testing come up short in human try outs.
- A 2009 study discovered that mice and rodents utilized in obtrusive, agonizing medical procedures were just furnished with post-employable relief from discomfort around 20% of the time.
- Somewhere around 2015 and 2019, a greater number of 3,00,000 animals covered under the Animal Welfare Act were exposed to harmful experiments without relief from pain.
- Almost 99% of the animals utilized for experimentation in laboratories does not come under the ambit of federal animal protection laws.²

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WHAT CAN BE THE ALTERNATIVES?

As we can see what is the rate of the cases proving almost to be the failure when it comes to the humans, because there may be the same symptoms of a disease in the animals but the nature of effects depends differently on different bodies.

-The medications follow an exact sub-atomic component which can be examined on the petri dishes which are used in the lab and yet even cheaper than animals to assess the property of a drug, cosmetics or anything.

- The computer can be used as a replacement for the live animals, it may sound absurd, but an online chemical database consists of thousand of chemical compound tests and by using certain algorithms the scientists can match the tested chemical compounds with the new chemical compounds and they can predict the toxicity of the untested chemicals by looking at their structural similarities. And it is believed that the algorithms have 87% accuracy to predict the toxicity.

Testing through algorithms and relying on it wholly and marketing a new product may not seem to be a good start but,

² 11 *Shocking Animal Testing Statistics That Are Hard to Swallow*, PETA, <https://www.peta.org/features/animal-experimentation-statistics/> (last accessed on 22.02.2022)

-The scientists may use other different testing methods, they can go on testing on the cultured human cells that can mimic the functions of the specific organs, which allows the humans to test on the drugs on human cells, instead of human. It doesn't mean that humans can never be tested, we can be asked to intake a small dose of any product, through this our body may not observe much effect but the scientists would come to know does it works on humans.

But all these big alternatives may not be able to replace the Animal Testing, especially if we get into another type of Covid-19 pandemic where all the successful vaccine doses were depended upon the animal testing. But again there should be a special eye on the safety and rights of these animals.

INTERNATIONAL ANIMAL TESTING PROGRAM:

Individuals make impermanent and erratic limits to avoid creatures who aren't like them. Individuals have legitimized wars, bondage, sexual viciousness, and military triumphs through the mixed up conviction that the people who are "different" and don't experience any suffering hence do not deserve any moral pondering. To fight against the abuse and maltreatment suffered by the animals at large, a non-profit organization was formed on the global front.

PEOPLE FOR ETHICAL TREATMENT OF ANIMALS (PETA) :

People for the Ethical Treatment of Animals (PETA) is the largest Non-Profit organization which confers the rights of the animals all round the world, and PETA constitutes 9 million members as well supporters around the globe. PETA opposes the concept of speciesism, which means giving more importance and having a sense of biasness to one's own specie than other living species and dogmatist worldview, and it concentrates on the four regions in which the largest numbers of animals endure the most seriously over the longest timeframes: in research facilities, in the food business, in the dress exchange, and in the entertainment business. It likewise chips away at an array of different issues, including the brutal killing of rodents, birds, and different creatures who are regularly thought of "irritant" as well as mercilessness to tamed creatures.³

REGULATIONS IN INDIA REGARDING THE SAFETY OF THE EXPERIMENTED ANIMALS:

India being a developing nation could not wholly substitute the animals from getting used for the experimentation because it has not prepared any human impersonator as a replacement. Yet, India became the first South Asian Country to ban animal testing of cosmetics in 2014.

Committee for the Purpose of Control and Supervision of Experiments on Animals (CPCSEA) : CPCSEA is a legal body made by the Central Government of India, under Section 15(1) of the Prevention of Cruelty to Animals Act, 1960, Chapter IV. The main purpose of the formation of this committee is to make sure that no animal is subjected to any extreme pain and torment. For satisfaction of this reason, the guidelines on rearing and trial and error were additionally presented in the year 1998 that have been

³ *About Peta*, PETA, <https://www.peta.org/about-peta/> (last accessed on 21.02.2022)

altered from there on to keep the arrangements refreshed with the changing times and to adapt up to the escape loopholes.⁴

Indian Pharmacopoeia Commission (IPC) has been an institution under Ministry of Health and Family Welfare, and it sets standards for all the drugs which are manufactured, sold and consumed in India. It is headquartered in Ghaziabad, Uttar Pradesh. Two animal tests that 'Pyrogenic Test' which is carried out on rabbits and 'Abnormal Toxicity Test' which is tried on a mice or a guinea pig are replaced by the Indian Pharmacopoeia Commission (IPC)

Pyrogen test is done to check the toxicity and the bad side-effects of the product and the drug injected in the rabbit and the feverish symptom of the animal is observed. Whereas Abnormal toxicity test is to check dangerous and biological impurity in the vaccine solution.

LAWS AND REGULATIONS ON ANIMAL TESTING AROUND THE WORLD:

- European Union banned all the products and cosmetics whose tests are carried on the animals and also bans the products whose ingredients were tested on animals.
- New Zealand has declared animal experimentation illegal. A bill was passed unanimously in the parliament for the ban on experimentation for cosmetics.
- In 2014, Brazil's Sao Paulo banned tests on animals.
- Taiwan and Canada proposed legislation to ban test as well as the sale of products that include animal experimentation.
- In the United States, animal testing is not illegal. In U.S. animal experimentation is regulated by the Animal Welfare Act 1966 (AWA). Around 1.37 million animals were used in 2010.
- In China, Animal Testing is Legal. China use animal testing for all imported cosmetics. China is the largest cosmetics market.⁵

CONCLUSION:

Animal Testing so far has been considered as illegal by many countries like European Union, New Zealand, India, Taiwan, Australia, etc., and is contemplated to be non-ethical on the part of human beings to see their fellow creatures suffering and feeling the unbearable pain which might be unbearable for others. We all are animals that means every living being is an animal, but our consciousness and presence of mind makes a difference between, a human being and animal. Animal testing no doubt is very good for the scientific advancement and some of our needs, but the game changes when we misuse the sacrifice of these creatures in

⁴ Rachit Garg, *Laws and regulations regarding animal experimentation in India*, iPleaders, <https://blog-ipleaders.in/> (last accessed on 21.02.2022)

⁵ Gunjan Rohit, *All About Animal Testing in India*, [https://blog-ipleaders-in.cdn.ampproject.org/v/s/blog.ipleaders.in/animal-testing-india/?amp_js_v=a6&_gsa=1&=1&usqp=mq331AQKKAFQArABIICAw%3D%3D#aoh=16454690074691&referrer=https%3A%2F%2Fwww.google.com&_tf=From%20%251%24s&share=https%3A%2F%2Fblog.ipleaders.in%2Fanimal-testing-india%2F](https://blog-ipleaders.in.cdn.ampproject.org/v/s/blog.ipleaders.in/animal-testing-india/?amp_js_v=a6&_gsa=1&=1&usqp=mq331AQKKAFQArABIICAw%3D%3D#aoh=16454690074691&referrer=https%3A%2F%2Fwww.google.com&_tf=From%20%251%24s&share=https%3A%2F%2Fblog.ipleaders.in%2Fanimal-testing-india%2F), (last accessed on 21.02.2022)

order to fulfil our wants. Which lady things about the animal who must have suffered for the cosmetic that she is applying ? So that it doesn't makes it beautiful. We as a stake holder of this earth has to take care of each and every specie and living thing. Animals as subjects often fail to depict the true picture of what happens to human body if that product is consumed, it is a time consuming, and almost unsuccessful treatment where there may be many patentees who must be waiting for the therapies. Penicillin is among the main antibiotics for the human beings but it kills guinea pig and the intake of many of the pain killers which are effective for human beings, but are hazardous to the animals like mice, rats , monkeys, dogs etc. Hence, Torturing the delicate creatures isn't OK, regardless of whether it is for the scientific development- it is as simple as that.



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