August 2005

Dear PETA Member:

Thank you for contacting Environmental Defense (ED) regarding its position on animal testing and for forwarding us the response you received. We would like to take this opportunity to clarify PETA's ongoing concerns regarding ED's promotion of the U.S. Environmental Protection Agency's (EPA) High Production Volume (HPV) Chemical Challenge Program and its assertion that PETA has somehow "misrepresented" its positions and actions.

As you may know, the stated purpose of the HPV program is to gather "screening level" toxicity data for the nearly 3,000 industrial chemicals produced or imported into the U.S. in the highest volume each year. The initial impetus for the HPV program came from two reports, published by ED and the EPA in 1997 and 1998, respectively, which concluded that basic information about many widely used chemicals either does not exist or has not been made public by chemical companies. However, it is important to note the following:

- A comprehensive review of the publicly available literature found a great deal of information that had been overlooked by ED and the EPA for the chemicals they examined. In fact, this study, undertaken by the Physicians Committee for Responsible Medicine, concluded that for the majority of the chemicals examined, there was *more than enough information* available to carry out a proper hazard assessment. ED and EPA officials eventually admitted that their original studies were not definitive.

- An article in the September 2001 issue of the journal *Environmental Health Perspectives*, entitled "Estimating the Extent of the Health Hazard Posed by High Production Volume Chemicals," revealed that HPV chemicals are, on the whole, *less toxic* than many non-HPV chemicals, which calls into question the very foundation of the HPV program.

- When PETA petitioned the EPA to require chemical companies, by law, to open up their existing health and safety files to public scrutiny, ED not only refused to support our petition, but actually *opposed* it! We at PETA cannot fathom why an organization that says it is concerned about the "appalling lack of public access to data" and lack of "industry incentive" to come forward with this information would favor a *voluntary* data-gathering/animal-testing program over an *enforceable* reporting requirement that already exists under U.S. law and that would not require any new animal testing.

In late 1998, when PETA learned of closed-door meetings that had been held between the EPA, ED, and the chemical industry to develop and implement the HPV program, we attempted to work with them to come to a mutually acceptable compromise. However, the HPV program—with its checklist of crude and cruel animal-poisoning tests—moved forward. Despite ED's claim that "far less new animal testing may be required under the program than had originally been expected," the death toll currently stands at approximately 155,000 animals (the result of a total of 376 "chemical test plans," of which fully 50 percent proposed new animal testing in 2003, 45 percent in 2004, and 33 percent in the first five months of 2005).

As one of the chief architects of the HPV program, ED bears much responsibility for this wholesale slaughter of animals. Further, ED's comments on test plans frequently call for animal testing *above and beyond* even that which has been proposed by industry or the EPA. The following are some examples of ED comments:

- When DuPont argued (consistent with EPA guidance to HPV program participants) that no further testing was needed for its product Corfree M1, because the relevant information was already available for its principal component, dodecanoic acid, ED requested that DuPont kill another 675 animals in additional testing.

- FMC Corp. has repeatedly submitted vague and incomplete test plans consisting solely of "yes" or "no" checkmarks for whether or not animal testing was deemed necessary, with no details regarding the perceived justification for the lethal animal-test proposals. In its comments on FMC's test plan for methyl-3,3-dimethyl-4-pentenoate, ED stated that the test plan was "not very informative," yet went on to state: "We agree with all of the proposals for further testing."

- In the case of the chemical nadic methyl anhydride, ED demanded that two additional animal tests be performed, even though this chemical was already well documented to be highly toxic, corrosive, and blinding (and therefore already tightly controlled). One of the tests that ED requested (a 90-day oral toxicity study that is not even required under the HPV program) involves repeatedly poisoning animals for three months, while the other (a reproductive toxicity test) would cause the suffering and deaths of upwards of 675 animals.

- ED supported the proposed testing (including lethal dose testing) of a naturally occurring fatty acid that has been found in olive oil when even the EPA recommended that the company use the plentiful information from similar substances to avoid new animal testing. ED objected to the use of computer modeling even though this substance is a "poster child" for the use of modeling techniques to avoid additional testing.

- Shockingly, ED requested that the American Chemistry Council (ACC) test the chemical warfare agent phosgene on another 675 animals. This substance, which killed thousands of infantrymen during World War I, is so highly reactive that it converts to hydrochloric acid upon contact with moisture deep in the lungs and burns the respiratory tract. Despite the fact that even the EPA agreed with the ACC that no more animals need die to further test this chemical, ED asked for reproductive/developmental studies on this lethal substance!

- When one company wished to remain "anonymous" in this "public right-to-know" program and submitted a 1-page test plan with a proposal to conduct every single animal test possible, ED did not object to the company's request for secrecy. It was left to PETA to track down the identity of this corporate culprit, PPG Industries, and to "out" it.

- At times, ED comments have taken animal welfare issues into consideration, for which we are very grateful. ED has, on occasion, recommended that a substance not be tested because of its acidic and corrosive nature. But even in this regard, ED's comments are not consistent.

For example, ED supported additional animal testing on 2,4,6 tris[(dimethylamino)methyl] phenol even though the chemical was corrosive and caused animals to hemorrhage.

- Early on, ED advocated *against* the use of "category testing," in which similar chemicals are grouped together in order to reduce the number of individual tests performed—thereby reducing the number of animals killed. In its test plan comments, ED has frequently objected to proposed categories and instead called for the testing of chemicals individually—even for naturally occurring compounds that have been recognized as safe by the Food and Drug Administration. ED's representatives also originally argued forcefully against the use of the non-animal genetic toxicity test, despite the fact that the non-animal method is much more sensitive than the animal test, which involves injecting toxins directly into the stomachs of 80 animals.

- ED representatives continue to demand that human exposure information be left out of other international testing programs, refusing to recognize that exposure is a key component of risk and that incorporating exposure information can save many animals from toxicity tests.

We are struck by ED's claim in its letter to you that it "respect[s] the values that lead some people to oppose all animal testing *even where there are no scientifically valid alternatives and no matter how useful that information is in protecting human health and the environment*." This statement clearly highlights the organization's double standard regarding the acceptance of animal and non-animal tests: ED insists that only "scientifically validated" non-animal test methods are acceptable, but at the same time the organization readily accepts—and even explicitly calls for—the use of animal-poisoning tests that have never been scientifically validated to establish their relevance to humans. This has led to the proverbial problem of "garbage in, garbage out," as is evident in the following examples:

- The Multicenter Evaluation of *In Vitro* Cytotoxicity study examined the results of rat and mouse "lethal dose" toxicity studies—in which groups of animals are force-fed massive doses of a chemical until half of them convulse and die. The researchers found that rodent lethal dose tests were, at best, 65 percent predictive of acute toxicity in humans. This suggests that toxicologists might as well toss a coin to identify chemicals that are dangerous to humans. Yet once again, U.S. government agencies, with the support of environmental groups, continue to require acute lethality testing on virtually every chemical on the market.

- In 1971, scientists Weil and Scala examined the reliability of data from eye irritancy tests—in which chemicals are dripped into rabbits' eyes—and concluded that because of significant variability in test results from day to day and from laboratory to laboratory, this test should not be used as a standard regulatory toxicity study. In 1986, Freeberg and colleagues studied 281 cases of accidental human eye exposure to 14 household products and compared the outcome with the results of rabbit eye irritation tests. They found that the animal tests failed to correctly predict the human eye response more than half the time! Yet government agencies continue to cling to this incredibly cruel animal test despite the existence of more reliable non-animal methods.

- Cancer studies are also notoriously unreliable and of questionable relevance to humans. One study found that rodent tests correctly identified little more than one-third of known human oral carcinogens, while another found that cancer studies in rats and mice produced consistent results less than half the time.

While only the first example relates to an animal test required under the HPV program, these examples speak volumes: Far from being "critical to predicting impacts on humans and other organisms," as ED states, animal-test data have not prompted the EPA to ban *even one* toxic industrial chemical *in more than a decade*. The reason for this is simple: Animal tests are generally unreliable and of little or no relevance to human health effects, which makes it possible for the results to be manipulated and challenged in court. As Dr. Joshua Lederberg, Nobel Laureate in Medicine, wrote in 1981: "It is simply not possible with all the animals in the world to go through chemicals in the blind way we have at the present time, and reach credible conclusions about the hazards to human health." Now more than 20 years later, millions of animals are still dying in agonizing chemical toxicity tests, and we are no closer to getting dangerous chemicals out of our environment.

In summary, PETA considers the HPV program to be an exercise in corporate greenwash, and for an advocacy organization such as ED to promote such a program is to give it an unwarranted veneer of scientific legitimacy and environmental respectability. While pro-animal-testing environmental groups such as ED like to call for the "humane use of laboratory animals," the fact is that *there is no such species as a* "laboratory animal," or "test animal" as Mr. Krupp refers to them in his letter, and no such thing as a "humane" chemical-poisoning test: All animals who are injected with or forced to inhale toxic chemicals until they convulse and die suffer enormously. Each and every additional animal test that ED calls for under the HPV program represents a world of suffering.

For further information about environmental groups that do and that do not promote animal testing, please visit MeanGreenies.com. A detailed report on the unscientific nature of the HPV program can be found at www.worldcongress.net/2002/proceedings/C3%20Nicholson.pdf.

Thank you again for your truly lifesaving support. These animals depend on us and we depend on you.

For all animals,

PETA