

110TH CONGRESS
1ST SESSION

H. R. 2193

To amend the Animal Welfare Act to increase the penalties for violations of such Act, to prohibit the use of animals for marketing medical devices, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2007

Mr. ISRAEL (for himself and Mr. KIRK) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Animal Welfare Act to increase the penalties for violations of such Act, to prohibit the use of animals for marketing medical devices, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Animal Protection Ac-
5 countability Improvement Act”.

1 **SEC. 2. PROHIBITION ON USE OF ANIMALS FOR MAR-**
2 **KETING OF MEDICAL DEVICES.**

3 The Animal Welfare Act (7 U.S.C. 2131 et seq.) is
4 amended by inserting after section 17 the following new
5 section:

6 “PROHIBITION ON USE OF LIVE ANIMALS FOR
7 MARKETING MEDICAL DEVICES

8 “SEC. 18. (a) IN GENERAL.—No person may use a
9 live animal to—

10 “(1) demonstrate a medical device or product to a
11 sales representative for the purpose of marketing such
12 medical device or product;

13 “(2) train a sales representative to use a medical de-
14 vice or product;

15 “(3) demonstrate a medical device or product in a
16 workshop or training session for the purpose of marketing
17 a medical device or product; or

18 “(4) create a multimedia recording (including a video
19 recording) for the purpose of marketing a medical device
20 or product.

21 “(b) EXCEPTION.—Subsection (a) shall not apply to
22 the training of medical personnel for a purpose other than
23 marketing a medical device or product.

24 “(c) DEVICE DEFINED.—In this section, the term
25 ‘device’ has the meaning given the term in section 201(h)

1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
2 321(h)).”.

3 **SEC. 3. FINES FOR VIOLATIONS OF THE ANIMAL WELFARE**
4 **ACT.**

5 Section 19(b) of the Animal Welfare Act (7 U.S.C.
6 2149(b)) is amended—

7 (1) in the first sentence by striking “not more
8 than \$2,500 for each such violation” and inserting
9 “not more than \$10,000 for each such violation”;
10 and

11 (2) by striking the second sentence and insert-
12 ing the following: “Each violation, each day during
13 which a violation continues, and, in the case of a vio-
14 lation with respect to animals, each animal that is
15 the subject of such a violation shall be a separate of-
16 fense.”.

17 **SEC. 4. REPORTS ON ACTIVITIES UNDER THE ANIMAL WEL-**
18 **FARE ACT.**

19 The Animal Welfare Act (7 U.S.C. 2131 et seq.) is
20 further amended by striking section 25 and inserting the
21 following new section:

22 “ANNUAL REPORT

23 “SEC. 25. Not later than March 1 of each year, the
24 Secretary shall submit to Congress a report containing—

25 “(1) an identification of all research facilities,
26 exhibitors, and other persons and establishments li-

1 censed by the Secretary under section 3 and section
2 12;

3 “(2) an identification of all research facilities,
4 intermediate handlers, carriers, and exhibitors reg-
5 istered under section 6;

6 “(3) the nature and place of all investigations
7 and inspections conducted by the Secretary under
8 section 16, and all reports received by the Secretary
9 under section 13;

10 “(4) recommendations for legislation to improve
11 the administration of this Act or any provisions of
12 this Act; and

13 “(5) recommendations and conclusions con-
14 cerning the aircraft environment as it relates to the
15 carriage of live animals in air transportation.”.

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