National Animal Ethics Advisory Committee

Report for the Period
1 July 1989 – 31 December 1991
Report to the Minister of Agriculture
by the National Animal Ethics Advisory Committee
on its Work for the Period
1 July 1989 - 31 December 1991

National Animal Ethics Advisory Committee
Wellington
March 1992
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1. **Background**

The National Animal Ethics Advisory Committee (NAEAC) to the Minister of Agriculture was established in August 1984. The National Animal Ethics Advisory Committee reported to the then Minister in June 1989 on its activities for the period from August 1984 to 30 June 1989 and material from that report provided the substance of a news release in May 1990. During this period, a system of protection for animals under manipulation for research, testing, diagnosis and teaching purposes was designed, necessary legislation enacted, codes of ethical conduct drawn up and approved, and institutional animal ethics committees established.

The information contained in this present report covers the period from 1 July 1989 to 31 December 1991.

In future it is proposed that an annual reporting procedure be adopted.
2. **Membership of the NAEAC**

Current membership of the committee is as follows:

- Professor E.D. Fielden (chairman, appointed in August 1989 following the resignation of Mr I.L. Baumgart, the inaugural chairman).
- Professor B.F. Heslop (nominee of the Medical Research Council).
- Dr C.H. McLaurin (nominee of the Royal Society of New Zealand, resigned at the end of 1990, appointment pending).
- Dr C.S.W. Reid (nominee of the Royal Society of New Zealand).
- Mrs C.H.B. Smith (nominee of the NZVA).
- Mr K.S. Thomson (nominee of the NZVA).
- Mrs P.N. Loague (nominee of the RNZSPCA).

During the period under review, a request was made to the Minister of Agriculture that a second layman, to represent the public interest, be appointed to NAEAC. This was declined.

With respect to membership, NAEAC was cognisant of the difficulties some institutional animal ethics committees had found in appointing a suitable layman to their committee, a matter raised in the earlier report. As a consequence, the decision was taken to approach the New Zealand Local Government Association to determine whether they, with their constituent members, could help on this matter. The response was most helpful and as a result the present layman on NAEAC was appointed by the Minister following a nomination from the New Zealand Local Government Association.

It is now planned to extend this approach to institutional animal ethics committees by seeking co-operation from appropriate local bodies as and where the need arises.
Further difficulties with NAEAC membership resulted from the demise of the Department of Education and the evolution of a Ministry of Education. This was ultimately resolved by seeking nominations from the New Zealand School Trustees Association for a suitable person with experience and contacts within the school education system, especially at secondary level. The Minister subsequently appointed Mr L.E. Maxwell to the committee.
3. **Terms of Reference for the NAEAC**

Broadly, it is the Committee’s function:

- To advise the Minister of Agriculture on the administration of Sections 19A and 19B of the Animals Protection Act 1960 (as inserted by the Animals Protection Amendment Act 1983).

Specifically it is required:

- To advise the Minister on the content of regulations to be made under s19A(1) of the Act, in particular on matters to be incorporated in any code of ethical conduct.

- To review and negotiate any desirable modifications to codes of ethical conduct prior to recommending approval under s19A(5).

- To consider and advise on information that should be collated and available on the use of live animals in research, testing or teaching institutions.

- To undertake such other activities as may be requested by the Minister of Agriculture pertaining to the administration of Sections 19A and 19B of the act.

Generally:

- The Committee should feel free to bring to the attention of the Minister of Agriculture any matters it believes appropriate in the interests of enhancing the welfare and humane treatment of live animals in research, testing or teaching.

**Note:** These terms of reference have not been changed since NAEAC was first established. The Committee is clearly required to have a close association with the activities of the Animal Welfare Advisory Committee, particularly with respect to legislation concerned with animal welfare and codes of conduct for "laboratory" animals. Some duality of membership ensures that this currently takes place.
4. **Codes of Ethical Conduct**

Continued efforts have been made to establish contact with organisations that may be manipulating animals as defined in the terms of the act. Existing institutional animal ethics committees and animal welfare agencies have been helpful in this respect. Particular emphasis has been placed on educational groups at both secondary and tertiary level, since NAEAC views education, especially of the young, as fundamental to attitudes that are adopted concerning the role that animals are expected to play in contemporary society. Where organisations have been located "manipulating" animals, assistance has been given with the development of an appropriate code of ethical conduct. Revocation of codes by the Minister on the advice of NAEAC has occurred in a few instances where organisations with previously approved codes either no longer exist or where they indicate they no longer manipulate animals as defined under the act.

Appendix I lists the institutional animal ethics committees which were in existence on 31 December 1991 as a consequence of the Animals Protection (Codes of Ethical Conduct) Regulations 1987.
5. Specific Issues Addressed

5.1 Communication With Institutional Animal Ethics Committees

The National Animal Ethics Advisory Committee, aware of the difficulties that some of the institutional animal ethics committees (IAECs) were having in dealing with their responsibilities under the codes by which they had been established, arranged a workshop at the Royal New Zealand Police College, Porirua, on 18-19 March 1991. The chairman and one other member of all existing IAECs were invited to participate, together with all members of NAEAC. The issues considered included those matters raised in the Royal Society proceedings of a symposium held in May 1989 entitled *The Use and Welfare of Experimental Animals*, operational problems (including the confidentiality of information that is required to be dealt with), and the unsatisfactory nature of the statistics of animal usage as required under the act.

The workshop proved to be a most valuable venture for the exchange and clarification of views by all parties concerned and a clear consensus was reached that similar workshops should be embarked upon from time to time in the future. Subsequent to this meeting:

- A report of the workshop was prepared and circulated to all IAECs in May 1991, together with guidelines on the disclosure of official information.

- A newsletter (now to become a regular feature) was prepared by NAEAC and circulated to all IAECs in August 1991.

Regular mailings to IAECs of *ACCART* (Australian Council for the Care of Animals in Research and Teaching) *News* are made as these come to hand. The National Animal Ethics Advisory Committee believes this publication to be a valuable information resource for all those concerned with the use of animals in teaching and research and is pleased to learn that New Zealand is to become a contributing member in support of its continuing production.

5.2 Statistics of Animal Usage

A summary of the statistics of animal usage appears in Appendix II. Unfortunately, it is not possible to determine either definite trends, or to define in any critical way the manner in which animals are being manipulated from this data, for three major reasons:

- The time periods over which the information has been collected are not comparable.

- The number and type of organisations from which the data has been collected as well as methods of counting have changed as the various institutions have become more aware of their responsibilities under the act.

- There is no obligation to categorise in any way the degree of invasiveness (ethical cost) that occurs with the animals that are manipulated. Thus, a simple manipulation such as medicating animals in a worm drenching trial carries the same weight numerically as an investigation involving cardiac surgery on a group of experimental animals.
As a consequence of this, NAEAC is attempting to devise a statistical return form that is both workable and informative. This is proving to be considerably more difficult than was initially envisaged. An amendment to the regulations will be required if the projected changes are to progress; this has been initiated.

5.3 Legislative Changes

Following advice of the proposals from MAF Policy for an animal welfare bill, NAEAC has made submissions to:

- widen the definition of animal under the act to encompass mammals including marine mammals (but excluding humans), birds, reptiles, amphibians, fish, cephalopods (octopods and squids), crabs, lobsters, crayfish or any other animal that is declared by the Minister to be an animal by notice in the Gazette;

- review approved codes of ethical conduct at least every 5 years so that codes would be reconsidered regularly in the light of changing societal expectations;

- ensure that the specialised function of NAEAC and its current constituent representation be given the most careful consideration if the proposal to merge the roles of the existing National Animal Ethics Advisory Committee and the Animal Welfare Advisory Committee is proceeded with.

In respect of the statistics of animal usage discussed in Sections 5.1 and 5.2 above, NAEAC has recommended that the Animals Protection (Codes of Ethical Conduct) Regulations 1987, s5(1) be amended to read:

*Every code of ethical conduct which relates to the welfare and humane treatment of any live animals that are manipulated in any research, experimental, diagnostic, toxicity, or potency testing work, or are used in teaching involving the manipulation of live animals, shall require the keeping of readily accessible records by every person, laboratory, commercial enterprise, or teaching or research institution by whom or which that code is made, which shall be entered on to a statistics form approved by the Director-General, as recommended by the National Animal Ethics Advisory Committee, in relation to each period.*

NAEAC continues to keep a watching brief on issues such as cosmetics testing which has been banned in some states of Australia. This has prompted the committee to propose an amendment to the Codes of Ethical Conduct Regulations to include an empowering section to enable, by order-in-council or statutory regulation, the prohibition of any procedure for the purposes of testing, teaching, research or production provided the prohibition is recommended by NAEAC, and the Minister takes the following factors into account:

- that the industry affected has been consulted; and

- there has been opportunity for public discussion of the proposal.

A further issue which has caused considerable difficulties to IAECs has been the interpretation of "manipulation" for the purposes of the act. There appears to be some difference of opinion among IAECs concerning the point at which procedures which might be used under standard animal husbandry practices become manipulations within the meaning of the act.
NAEAC does not propose any legislative change to deal with this matter and has resolved to advise all IAECs that it interprets "manipulations" for the purposes of the act in the following manner:

*Manipulations which must be considered by IAECs are all those which the animal(s) would not have been subjected to had they not been involved in the programme concerned (i.e. any manipulations resulting from the programme which increases the ethical cost to the animal).*

5.4 *Clostridium chauvoei* (Blackleg) Testing

The concern raised in NAEAC's earlier report on this matter has continued and discussions have taken place with the commercial firms involved with respect to finding a suitable alternative to the use of live animals as an acceptable means of quality control of the vaccines produced.

Research has continued both locally and internationally on programmes that are designed to move the producers, and governmental regulatory authorities, away from reliance on animal testing to the use of *in vitro* test methods.

The matter of the specificity of the tests under consideration is proving to be a major problem. Positive progress can be reported with respect to quality control of clostridial vaccines containing other components such as levamisole or a combination of levamisole and selenium. Recent investigations have demonstrated that there is no justification in continuing to potency test the clostridial components of such vaccines and regulatory authorities in several countries now accept this. The net result is that fewer rabbits, guinea pigs and mice are required each year for testing such products. NAEAC will continue to encourage and facilitate work in this area as far as resources allow.

5.5 Education and Public Information

NAEAC in its earlier report outlined its concern that, despite the steady progress which has been made in the protection of experimental animals since the introduction of the 1983 legislation, attitudes of public suspicion and disbelief continue to be fuelled by:

- the publication in schools and public places by anti-vivisection groups of negative aspects of animal manipulations using videos and other material from outside New Zealand which is neither sourced nor dated;

- the general reluctance of institutions and others using animals for research, teaching, diagnostic and potency testing to be more pro-active in explaining the need for what is being done, the ethical standards set and the principles behind these, the means by which compliance with standards is monitored, and the procedures followed to consistently seek opportunities to raise these standards.

The "3R principle" (reduction, replacement and refinement of manipulative procedures) continues to be a major consideration for institutional animal ethics committees when they are considering projects placed before them.
There is a clear indication that positive progress is being made, as evidenced by the use of video and computer simulation programmes rather than live animals in many teaching situations, by the continuing efforts of commercial organisations to find acceptable quality control tests that reduce or replace those involving live animals, by upgrading housing for experimental animals, and by improvement in the overall quality of the "science" in those projects that are approved.

NAEAC notes that a brochure outlining the benefits animal research has contributed to both human and animal well-being has been published (and which by addressing positive aspects of animal manipulations may help redress the imbalance resulting from the negative aspects of animal manipulations referred to earlier), and that a code of welfare for laboratory animals in New Zealand is to be produced.

The contribution by MAF Policy to the provision of literature and other background material concerning animal welfare, together with the establishment at the Ruakura Agricultural Centre of the Animal Behaviour and Welfare Research Centre has increased the resources now available to NAEAC, the IAECs and to all persons concerned with the manipulation of animals. Particular attention is now being paid to alerting IAECs to resource material concerned with alternatives to animal testing, arising, for example, from publications by the Johns Hopkins Centre for Alternatives to Animal Testing, the bi-monthly *Alternatives Report* published by the Centre for Animals and Public Policy of Tufts University, and the quarterly annotated bibliographies on *Alternatives to the use of live vertebrates in biomedical research and testing* prepared and published by Oak Ridge National Laboratory.

All these developments help meet the principal objective of improving the welfare of many of the groups of animals with which we share this world.

5.6 Investigation of a Complaint Against an Institutional Animal Ethics Committee

At the request of the Minister of Agriculture, NAEAC investigated a complaint laid against an IAEC by a member of the public. As this was the first request of this kind since the establishment of IAECs, the National Committee examined the matter in considerable detail. The conclusions reached were that the allegations lacked substance, that the complainant had misunderstood issues that had been raised, and that the IAEC in question was conducting its activities in both a conscientious and effective manner and according to the code of ethical conduct under which it had been established.
6. Conclusion

NAEAC reaffirms its belief that:

- with institutions accepting their legal responsibility for the welfare of animals under manipulation for research, teaching, testing and the production of biological agents;

- with those manipulating animals for the above purposes continuing to search for alternatives to the use of live animals;

- and with increased public involvement in scrutinising the use of animals;

the self-policing system now in operation is functioning effectively, with substantial progress continuing to be made in this area of animal protection.

Vigilance needs to be maintained to ensure that as new approaches become available and are validated they are introduced, that existing codes of ethical conduct are reviewed on a regular basis, and that new codes are established where these are required.

Legislative changes foreshadowed in this report will aid the process of improving the welfare or experimental animals once they are accepted and have the force of law.
Appendix I. List of Institutional Animal Ethics Committees

* Denotes committees who supervise other organisations in addition to their parent organisation.

Ambreed NZ Ltd
P O Box 176
HAMILTON

Aoraki Polytechnic
Private Bag
TIMARU

Arthur Webster (NZ) Pty Ltd *
P O Box 781
HAMILTON

Auckland Area Health Board
P O Box 5546
AUCKLAND

Bay of Plenty Polytechnic
Private Bag TG 12001
TAURANGA

Central Institute of Technology
Private Bag
TRENTHAM

Christchurch Polytechnic
P O Box 22-095
CHRISTCHURCH

Christchurch School of Medicine
P O Box 4345
CHRISTCHURCH

Ciba-Geigy NZ Ltd
Private Bag
Avondale
AUCKLAND 7

Cooks Laboratories Ltd
c/- Alpha Biologicals
P O Box 38 213
Howick
AUCKLAND

Department of Conservation
P O Box 10-420
WELLINGTON

Land Resources
DSIR
Private Bag
LOWER HUTT

Immuno-Chemical Products Ltd
P O Box 1607
AUCKLAND 1

Kristen School
P O Box 87
ALBANY

Lincoln College
Private Bag
CANTERBURY

Manawatu Polytechnic
Private Bag
PALMERSTON NORTH

Massey University *
Private Bag
PALMERSTON NORTH

Ministry of Agriculture and Fisheries *
Flock House Agriculture Centre
Private Bag
BULLS

(MAF Regional Office:
Batchelor Agriculture Centre
P O Box 1654
PALMERSTON NORTH)
Ministry of Agriculture and Fisheries
Canterbury Agriculture and Science Centre
P O Box 24
LINCOLN

Ministry of Agriculture and Fisheries *
Invermay Agriculture Centre
Private Bag
MOSGIEL

Ministry of Agriculture and Fisheries *
Ruakura Agriculture Centre
Private Bag
HAMILTON

Ministry of Agriculture and Fisheries *
Wallaceville Agriculture Research Centre
P O Box 40063
UPPER HUTT

Ministry of Forestry
Animal Ethics Committee
21 Douglas Street
RANGIORA
(Attn Sheila Boyce)

MSD Agvet
P O Box 23-244
Papatoetoe
AUCKLAND

Nelson Area Health Board
PO Box 132
NELSON

NZ Communicable Disease Centre
P O Box 50348
PORIRUA

Palmerston North Campus
DSIR
Private Bag
PALMERSTON NORTH

Pfizer Agricare Pty Ltd
P O Box 57
West Ryde
NSW 2114
AUSTRALIA

(NZ Office:
Pfizer Laboratories Ltd
CPO Box 3998
AUCKLAND)

Pitman-Moore NZ Ltd
Private Bag
UPPER HUTT

Roche Products (NZ) Ltd
P O Box 12492
Penrose
AUCKLAND

Selborne Biological Services NZ Ltd
P O Box 658
TAURANGA

Shell Chemicals NZ Ltd
P O Box 2091
WELLINGTON

SmithKline Beecham (NZ) Ltd
P O Box 62-043
AUCKLAND 6

South Greta Farms Ltd
R D 3
PUKEKOHE
(Attn Mr C A Southey
Agriculture Consultant)

South Pacific Sera Ltd
Blue Cliffs Station
St Andrews
SOUTH CANTERBURY

University of Auckland *
Private Bag
AUCKLAND

University of Canterbury
Private Bag
CHRISTCHURCH
Ms B Lee  
Faculty  
Otago Medical School *  
University of Otago  
P O Box 913  
DUNEDIN

University of Waikato *  
Private Bag  
HAMILTON

Victoria University of Wellington *  
P O Box 600  
WELLINGTON

Waikato Polytechnic  
Private Bag  
HAMILTON

Wellington Polytechnic  
P O Box 756  
WELLINGTON

Wellington School of Medicine  
P O Box 7343  
WELLINGTON

Wrightson Breeding Services Ltd  
P O Box 16036  
Glenview  
HAMILTON

Young’s Animal Health (NZ) Ltd  
P O Box 40442  
UPPER HUTT

In addition to the above, five committees have been established under the previous Department of Education’s code.

They are:

Mrs Mavis Haigh  
Secretary  
Auckland Science Teachers Association Animal Ethics Committee  
Auckland College of Education  
Private Bag  
Symonds Street  
AUCKLAND

Mr Les Le Bas  
Secretary  
Nelson Education Advisory Services Ethics Committee  
C/- Nayland College  
Nayland Road  
STOKE

Mr Brian Gore  
Education Advisory Service  
P O Box 935  
Animal Ethics Committee  
ROTORUA
Mr Colin Johnson  
Secretary  
Wanganui Education District Animal Ethics Committee  
Wanganui Education Board  
P O Box 4076  
WANGANUI

Mr Chris Arcus  
Chairman  
Animal Ethics Committee  
Wellington College of Education  
P O Box 17-310  
Karori  
WELLINGTON
APPENDIX II. Summary of Animal Usage Statistics

II.1 Animal Usage Report: Summary by Species

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<thead>
<tr>
<th>Species</th>
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<td>1.1.90 to 31.12.90</td>
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<tr>
<td></td>
<td>No. used</td>
<td>% dead or destroyed</td>
<td>No. used</td>
<td>% dead or destroyed</td>
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<td>Amphibians</td>
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<td>78</td>
<td>2921</td>
<td>88</td>
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<tr>
<td>Birds</td>
<td>8861</td>
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<td>6387</td>
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<td>Cats</td>
<td>317</td>
<td>60</td>
<td>236</td>
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<td>Cattle</td>
<td>14389</td>
<td>18</td>
<td>10319</td>
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<td>Deer</td>
<td>2269</td>
<td>4</td>
<td>2127</td>
<td>8</td>
</tr>
<tr>
<td>Dogs</td>
<td>809</td>
<td>89</td>
<td>609</td>
<td>57</td>
</tr>
<tr>
<td>Fish and fish</td>
<td>15444</td>
<td>59</td>
<td>103973</td>
<td>14</td>
</tr>
<tr>
<td>eggs</td>
<td>8960</td>
<td>9</td>
<td>3426</td>
<td>4</td>
</tr>
<tr>
<td>Guinea pigs</td>
<td>9266</td>
<td>94</td>
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<td>96</td>
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<td>2132</td>
<td>92</td>
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<td>Mustelids</td>
<td>924</td>
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<td>-</td>
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<tr>
<td>Pigs</td>
<td>72</td>
<td>61</td>
<td>287</td>
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</tr>
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<td>Possums</td>
<td>3027</td>
<td>33</td>
<td>1254</td>
<td>14</td>
</tr>
<tr>
<td>Rabbits</td>
<td>5721</td>
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<td>Rats</td>
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<td>267019</td>
<td>292108</td>
<td>260778</td>
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Notes: 1. The reporting period was 16 months in 1987-88, and 12 months in subsequent years.
2. Miscellaneous species include buffaloes, camelids, bats, hedgehogs, wallabies, giant wetas.
3. No information has been collected that will allow analysis of the type of manipulative procedure carried out. For example, administration of a drench to a group of sheep in a worm drenching trial cannot be differentiated from experimental cardiac surgery on one or more animals of the same or a different species.
4. The % dead or destroyed refers to those animals used (manipulated) that either died or were humanely destroyed during or at the end of the reporting period concerned. The remainder were alive at the conclusion of the "manipulation" and were retained for further use by either the reporting institution or another institution, were returned to their owners, or were released to the wild.
### II.2 Animal Usage Report Summary

<table>
<thead>
<tr>
<th>Group</th>
<th>Year</th>
<th>Hamsters, rats, mice, g. pigs, rabbits</th>
<th>Sheep, cattle, goats</th>
<th>Other domestic animals</th>
<th>Birds</th>
<th>Fish and fish eggs</th>
<th>All other species</th>
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<td>7415</td>
<td>1197</td>
<td>7324</td>
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<td>45 253</td>
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<td>4433</td>
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<td></td>
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<td>40 647</td>
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<td>Schools</td>
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<td>3</td>
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<td>1990</td>
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Notes:
1. "Commercial" embraces those organisations that manipulate animals for testing chemical and biological products, or for the production of such substances for commercial use.
2. "Other" includes such organisations as area health boards, the Ministry of Forestry, the New Zealand Communicable Disease Centre, etc.
3. "Other domestic animals" include alpaca, buffalo, cats, deer, dogs, donkeys, horses and pigs.
4. "All other species" include animals such as axolotls, bats, fitches, fur seals, lizards, possums, toads, wallabies, wetas, etc.
ERRATUM

Page 16 DSIR x All other species - figure should be 2176 (not 2716)