From Dream to Reality

Long-awaited CHIMP Act Amendment passes Congress!

At long last, a “forever” retirement for chimpanzees in the federal sanctuary system is now a reality, made possible by the passage of the Chimp Haven Is Home Act. An amendment to the CHIMP (Chimpanzee Health Improvement, Maintenance and Protection) Act, the Chimp Haven Is Home Act makes the retirement of chimpanzees under the Act permanent. It passed both the U.S. Senate and House without opposition on December 19, 2007, and was signed into law December 26 by President Bush.

By providing a way to give chimpanzees no longer deemed necessary for research a safe place to go, the CHIMP Act has been an important step in our ultimate goal to end the use of chimpanzees in research. The passage of this amendment is another huge victory, since it has eliminated language that would have permitted chimpanzees who were retired to the federally-designated sanctuary to be returned to research, if it were deemed “necessary.” NAVS, which was instrumental in passing the original CHIMP Act, worked diligently towards making the retirement permanent.

As another expression of our gratitude to those who have made a commitment to helping chimpanzees who have spent most of their lives in a laboratory cage, NAVS has recently made a $10,000 donation to Chimp Haven, a federally-supported sanctuary for chimpanzees formerly used in research located near Shreveport, LA.

We are very grateful to Representatives McCrery and Melancon and Senators Burr, Vitter, Landrieu and Durbin for sponsoring this important piece of legislation and giving chimpanzees used for research an opportunity to live out the rest of their lives in peace, with no fear of being returned to the laboratory. We hope you take a few moments to offer them your gratitude as well:

- Senator Richard Burr (R-NC) 202-224-3154
- Senator Mary Landrieu (D-LA) 202-224-5824
- Senator Richard Durbin (D-IL) 202-224-2152
- Senator David Vitter (R-LA) 202-224-4623
Color your world with...the new Animal Action Report!

NAVS is proud to introduce our newly designed newsletter, printed for the first time in full color! As a result of advancements in digital printing technology, we can now bring you a full-color edition of the Animal Action Report for a fraction of what it would have cost years ago. In fact, moving to full color from our previous format adds less than 2 cents per piece to the cost!

That’s an incredibly small price to pay for the benefits of creating a newsletter in full color. In a world saturated with images from magazines, TV and the Internet, color will really help us stand out from the clutter. What’s more, the sophisticated, contemporary image this design conveys will also help us continue to attract a younger, more media-savvy generation, while also communicating a professional, polished image to the scientific and legal community.

Your generous support helps us reach out with our message of compassion in ways that get results and we thank you for your commitment to our mission to save animals.

No more cardio dog labs

Case Western Reserve School of Medicine has become the last medical school to end the practice of operating on dogs to training students in cardiology, replacing live animals with technologically advanced methods, such as echocardiograms. This decision now ends the use of dogs for this purpose in all 126 medical schools in the United States. NAVS applauds this long-overdue policy change.

Animals and Education

Three states now considering student choice legislation

A new bill that would give students the ability to choose not to participate in dissection without penalty in grades K-12 has just been introduced in Colorado. Vermont and Michigan also have similar legislation under consideration.

Student choice is a win-win situation because it ends discrimination against students who don’t want to harm animals while exposing teachers to the many innovative alternatives to live animals that are available today. And with help from the NAVS’ BioLEAP program, schools, teachers and students can receive free loans of state-of-the-art alternatives, including models, computer programs, videotapes and DVDs.

What You Can Do

There are still no student choice laws in 41 states, so we need to keep the pressure on.

1. Go to www.navs.org and click on the NAVS Advocacy Center to learn more.
2. Let your state legislators know that you support student choice in your state.
3. For a complete list of states that already have student choice laws or policies, go to www.navs.org and click on Animals in Education; Dissection in the Classroom.
4. If your state doesn’t have a law, go to www.AnimalLaw.com and click on Model Laws to find an example to present to your legislator.
Do you have a Passion for Compassion? A Heart for Art?

Express yourself! Enter the Art for Animals Classic today.

Use your talents to express respect and compassion for animals by entering the National Anti-Vivisection Society’s 19th Annual Art for Animals Classic.

Besides providing a great outlet for your artistic abilities, the NAVS Art for Animals Classic also helps animals. This is an opportunity to give a creative and compelling voice to those who suffer silently in the name of science and send a message about your compassion for animals.

Your work of art may be chosen to illustrate a NAVS publication, poster, stationery, or other media to touch hearts. Of course, no competition would be complete without awards! NAVS recognizes 1st, 2nd and 3rd place winners in three age categories as well as Best in Show—all of whom are awarded cash prizes.

So if you’re an artist, photographer, painter, graphic artist, poet, musician, filmmaker, or just want to show you care about animals, start creating with compassion! The deadline for submissions is May 2, 2008.

Entry forms are available on our website, www.navs.org or call us at 800-888-NAVS (800-888-6287).

And teachers, professors, instructors, and store owners: the Art for Animals Classic makes a great class project!

Thank you for all you do on behalf of animals!

We’re powering up Personal Care

New enhancements of our on-line version make it even more convenient to use

We’re pleased to announce that a new enhanced version of the company/product lookup of our on-line version of Personal Care for People Who Care directory is now up and running. In addition to allowing you to search by company and product, a new search function lets you look for products in a general product category.

Now you can find a whole list of cruelty-free products in a particular category with just a couple of mouse-clicks. For example, let’s say you’ve discovered that the shampoo you currently use is tested on animals, and you want to find a shampoo that is not. Simply go to www.navs.org and click on the Who Tests On Animals? icon. Then click on Search By Product Category, click on Hair Care and find a shampoo!

We know you’re going to love this new feature—it’s yet another way we’ve made cruelty-free shopping easier and more convenient.

Your wish is our command

Just ask us to research a company—and we do the rest

Are you wondering if a particular company you’ve come across is a tester or cruelty-free? Let us find out for you—and your fellow animal advocates who would also appreciate the information. Simply call, write or e-mail us (at navs@navs.org) with the name of the company, and we’ll send them a questionnaire. Go to the NAVS website and sign up to receive timely updates.

Right now, we have three updates for you:
The Natural Dentist, does not animal-test but cannot confirm that their suppliers do not.

In response to requests for more information on Clientele and B. Kamins, neither company responded after NAVS’ repeated attempts to contact them.

Go to www.navs.org to find out about companies and products that do not use animal testing. You can also order the book, Personal Care for People Who Care from the NAVS web site.

ANIMALS AND PRODUCT TESTING

Your wish is our command
ANIMALS AND THE LAW

Putting the “Fair” in “Fair Market Value”

The time has come for the law to recognize companion animals beyond their replacement value

BY CHRISTOPHER GREEN

It is obvious to anyone who has felt the extraordinary bond we share with companion animals that their value extends far beyond the mere price we paid for them. Yet, while we have made many strides in gaining legal protection for our beloved pets, one area where the law lags behind is in determining a value for their loss when they are seriously injured or killed.

Indeed, while 43 out of 50 states prosecute companion animal cruelty as a felony, with abusers facing fines of tens of thousands of dollars and prison sentences of up to ten years, those same states hold that even if your pet is deliberately killed, you only can recover the cost of replacing your pet with another animal. Ironically, while someone who intentionally killed your pet could be criminally prosecuted for cruelty and fined up to $50,000, as a victim you still would receive virtually nothing for your loss in a civil court of law.

Clearly, this is a case where the law is not reflecting current societal attitudes, as shown in a January 2008 American Veterinary Medical Association (AVMA) report that indicated 97.9% of pet owners describe their animals as “family members” or “companions,” with only 2.1% considering them to be property. Similarly, a recent Pew study determined that more people say they “feel close to” their dog than they do either parent—with cats coming in third behind moms. These findings underscore the reality that to many people, pets aren’t merely just like family—they are family.

The value of the emotional bond we share with companion animals is reflected in the enormous amounts we spend each day to maintain and prolong these relationships. In 2006, consumers in this country spent $24.5 billion on veterinary care alone—generating more revenue than for the entire U.S. recording and film industries combined! This substantial contribution to the national economy increases exponentially every year, with veterinary spending more than doubling in the last decade. In 2007, Americans were predicted to spend a total of $41 billion caring for their pets. That’s more money than the Gross Domestic Products of 2/3 of all other nations on earth.

Given that the emotional bond between humans and companion animals is woven tightly into the fabric of our society and is a powerful engine of our economy, one has to wonder why the law treats that bond as if it does not exist. The answer lies in the fact that our legal system is divided into two distinct realms—criminal law and civil law—each guided by different entities and processes.

Criminal law—which involves the state versus an animal abuser—is governed by statutes created by legislatures. Because legislatures are made up of people who need to get re-elected every few years, they tend to be more responsive to changes in societal attitudes and demands. This is one reason why in 1993 there were only seven states that prosecuted companion animal cruelty as a felony and 15 years later, there are only seven states that don’t.

Civil law—which involves a human victim versus an animal abuser—evolves primarily through the courts, which are guided by case law, also known as judicial precedent. This means that if an equal or higher court has already analyzed and decided upon a particular issue, the presumption is that the current judge should defer to that earlier decision. While this prevents judges from reinventing the wheel each time they hear a case, the problem is that sometimes the civil law can only catch up to prevailing social attitudes when individual judges are willing to go out on a limb and rule against existing precedent—which doesn’t happen very often.

In the case of the valuation of pets, what has happened is that one judge after another has deferred to earlier decisions that are often rooted in a bygone era whose values, policies and scientific knowledge are outdated or irrelevant.

In fact, three state appellate courts recently relied on decisions from the late 1800s—more than 100 years ago—to deny compensation to pet owners beyond their deceased animals’ market value. When one considers that the late 1800s was a time when our country had only just outlawed keeping other human beings as slaves, and women would not be allowed to vote for several more decades, it seems absurd that we would be drawing on that era’s judicial wisdom to determine the value of current social relationships.

As with both slavery and women’s suffrage, though, whenever courts and precedent lag too far behind prevailing social standards, legislatures have the ability to step in and update the civil law that judges must apply. Yet whenever such legislative forays have been made regarding the value of companion animals beyond their economic worth, they have been met with vehement opposition by veterinarians and the veterinary lobby. This is because compensating consumers for the loss...
of an animal’s companionship when someone kills a pet intentionally would lead to compensating them when a veterinarian causes the death of a pet by committing malpractice.

Given that U.S. pet owners make over 200,000,000 visits to the veterinarian each year, the AVMA has vowed to staunchly oppose all non-economic damages and keep its members from being held fully accountable for their mistakes, as are other medical professionals.

How ironic that the main group leading the charge against compensating pet owners for the loss of their animal is not only the one responsible for our pets’ well-being, but is also profiting handsomely from it—companion animal veterinarians’ annual salaries have doubled in the last 10 years to $107,071. Even more disturbing is the fact that the veterinary industry itself clearly acknowledges that this huge hike in revenue is directly driven by the non-economic emotional attachment between Americans and their companion animals.

An article in the January 2008 issue of the Journal of the AVMA carried the title: “Human-Animal Bond Boosts Spending on Veterinary Care.” A few months earlier, the magazine of the American Animal Hospital Association declared: “Every scientifically conducted survey of pet owners since 1995 confirms the vast majority of pet owners consider their pets as members of the family and they are willing to spend the money to keep them healthy.”

Realizing that this position of publicly lauding the economic value of the human-animal bond at the cash register and then trying to pretend it doesn’t exist in the courtroom appears duplicitious, the veterinary lobby has now begun to float the idea that expanding the definition of “market value” for pets “will lead to worse care, not better care, for pets.” They assert that their malpractice insurance rates would rise to the point that it would have a material impact on the price of veterinary care. This, they claim, would lead to “significantly limiting access to affordable pet health care,” and possibly even “driving out practitioners,” according to position papers on the AVMA’s website.

Yet nowhere does the AVMA offer any factual evidence to support these blank assertions. Instead, they resort to floating fear-based analogies to human malpractice liability (which aren’t relevant because AVMA has a self-insurance pool), or flatly insisting that “Common sense tells us that higher liability insurance rates and...what certainly will be a huge increase in lawsuits will result in a significant increase in the cost of providing veterinary care.”

There is no evidence that allowing non-economic damages would have any appreciable impact on either the affordability or availability of veterinary care.

History, however, does not support this conclusion. Florida and other states have allowed non-economic damages against veterinarians for 44 years, and according to AVMA insurance representatives, these states have not seen any increase in either the proportion of lawsuits or in malpractice insurance rates compared to states that do not allow such damages.

There are some other revealing numbers. In 2008, the majority of companion animal veterinarians pay only $191 for their malpractice insurance. When one divides this insurance cost among the average number of clients per veterinarian, it becomes evident that each pet-owning household currently pays only 11¢ per year for their share of veterinary malpractice coverage ($191 annual premium ÷ 1755 clients per veterinarian = 11¢ per client). Even the maximum amount of coverage costs only $246, which still comes out to only 14¢ per client.

Notably, this level of malpractice insurance costs only $4 more than it did in 1989; adjusted for inflation, veterinarians are actually paying 39% less for these malpractice policies than they were 19 years ago!

Furthermore, in 2004, the California Veterinary Medical Association (CVMA) and ABD Insurance, the nation’s second largest veterinary insurer, conducted an actuarial study on non-economic damages and their potential costs. Their conclusions, published in DVM Magazine, demonstrated that allowing up to $25,000 in compensation for the intentional or negligent killing of a companion animal would result in pet veterinarians’ liability insurance rates doubling to $400 per year—a meager 23¢ per pet-owning household and an increase of only 12¢ per year over current household veterinary costs. These miniscule amounts severely undercut AVMA claims that loss of companionship damages will lead to worse care for pets or drive veterinarians out of practice.

Even if the CVMA and ABD’s actuarial experts with all the relevant data are wrong, however, and veterinary malpractice insurance rates are wrong, however, and veterinary malpractice insurance truly skyrocketed to 100 times its current level, that total premium still would come out to an annual cost increase of only $14 per pet owning household—a mere 4% of the $356 dog owners pay on average at the vet each year. Thus, even in this worst-case scenario, which is not supported by actual cost estimates, there is no evidence that allowing non-economic damages would have any appreciable impact on either the affordability or availability of veterinary care.

Increasing the valuation of pets will not only provide an additional deterrent against abhorrent acts of cruelty, but also improve the quality of veterinary care by reducing the number of unnecessary abuses in the industry.

It is time for state legislatures to act on the conviction of the American public that pets are a valuable part of our society and for the veterinary community to acknowledge that their profession thrives because of that value and accept the responsibility that goes with their success.
The 6th World Congress on Alternatives and Animal Use in the Life Sciences, held in Tokyo in August 2007, was especially noteworthy for the extraordinarily high quality of the science presented there, reported attendee Dr. Eugene Elmore, Ph.D., and member of the Scientific Advisory Board of the International Foundation for Ethical Research (IFER).

Attended by over 1,000 scientists and regulators from numerous countries, the Congress focused on the recent progress in advancing the 3Rs: reduction, refinement and replacement of animal use in research. Dr. Elmore noted that many presentations used state-of-the-art human cell culture models, including tissue-like, 3D models for predicting organ-specific toxicity. In addition, cell culture models developed from non-embryonic human stem cells were shown to be useful in identifying agents that are toxic to the nervous system.

While it’s clear from the content of the World Congress that there has been impressive progress in the development and validation of alternative methods, Dr. Elmore cautions that additional scientific and regulatory advancements will be necessary to see more dramatic reduction and replacement of animals in testing in the near future.

The recent progress that we have seen in the U.S. has been driven in part by the European regulatory mandates to replace animal testing on cosmetic products. Thanks in large part to strong financial support (which now exceeds 140 million euros), the European Centre for the Validation of Alternative Methods (ECVAM) has validated 21 in vitro alternative methods, and ten of them have been accepted by the European regulatory agencies. Not unexpectedly, the rapidly approaching date in which the mandates go into effect has fueled this substantial progress, as well as the willingness of regulatory agencies to accept the validated systems.

Unfortunately, without a similar mandate, the U.S. is lagging behind—even though the Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM) and the National Toxicology Program Interagency Center for the Evaluation of Alternative Toxicological Methods (NICEATM) have made progress towards reducing the number of animals needed for acute toxicity testing, eye and skin irritation, and in identifying environmental estrogenic agents.

With the lives of millions of animals at stake, the development and validation of alternative methods should be a top priority, not only because it would eliminate so much unnecessary suffering, but because it is better science. In fact, a recent report by the National Research Council entitled “Toxicity Testing in the 21st Century: A Vision and a Strategy,” which outlines a new approach that would rely less heavily on...
Why in vitro methods are key to eliminating animal use in the laboratory

In our continuing effort to end the use of animals in science, we talk a lot about the power of in vitro biology. What do we mean by in vitro and why is it so important to our mission? Let’s take a look.

In vitro means literally “in glass” and it is the science of studying cells maintained outside of the whole body in a medium, or “culture.” This culture provides the cells with all the requirements for growth.

The study of cell cultures enables scientists to address many scientific and medical questions without the complication of the whole organism, whether it is animal, insect or plant. For example, the changes in the cell can be measured directly. Additionally, large numbers of replicate cultures can be produced from a single tissue so that many experiments can be performed. Cell and tissue cultures also enable scientists to study human cells directly.

Tissue culture methods reduce the reliance on whole animals in research and testing in many ways. For example, in the process of manufacturing medical devices (blood bags, syringes, catheters, etc.), each lot of product must be tested for its potential to irritate tissue. In the past, rabbit muscle was used. But in the 1980s, cell culture tests were developed and are now the standard test, resulting in rabbit lives being saved—and far better protection for the public.

Here’s another example. The National Cancer Institute has developed a tissue culture-based screening program for anti-cancer agents using 60 human tumor cell types. This program allows new agents to be tested directly against human tumors, sparing untold numbers of animals. In vitro methods have also been used to replace the Draize eye and skin irritancy tests.

Because of the power and potential of in vitro methods to advance science while saving animal lives, NAVS and the International Foundation for Ethical Research (IFER) are proud to be strong supporters of the Society for In Vitro Biology (SIVB) and its annual scientific meeting.

Our support—made possible by the generosity of our members and donors—enables SIVB to bring the latest advances to its membership. SIVB scientific meetings are also an effective way to introduce newly minted scientists (graduate and undergraduate students) to this methodology and help them seek out mentoring opportunities with more senior scientists. And finally, SIVB has an educational outreach program to attract teachers who want to understand and use tissue culture techniques in their classrooms.

Dr. John Harbell, chairman of the SIVB annual meeting, stated in a report to NAVS: “…for the SIVB, cell, tissue and organ culture methods are not seen as a compromise (in place of whole animals) but rather the method of choice to address the science.”
From Horror to Hope

More animals rescued because of you!

A hearty “paws up” to our generous donors for making it possible for us to award five more NAVS Sanctuary Fund grants since our last issue of the Animal Action Report. We hope these heartwarming stories inspire you to make a donation to the NAVS Sanctuary Fund. We receive so many applications that it’s hard to keep up with the demand. With your help, we will continue to provide immediate financial assistance to rescue animals in distress due to natural or human-made disasters.

To donate to the NAVS Sanctuary Fund:

● Return the form on page 11
● Visit www.navs.org
● Call 800-888-NAVS (800-888-6287)

100% of your donation goes directly into the Fund!

No More Horsing Around

A NAVS Sanctuary Fund grant has enabled Equine Advocates in Chatham, NY to purchase a three-horse mobile barn to house abused animals that they recently rescued. Once these horses are ready for adoption, the mobile barn will be used to house rescued mares from the PMU (Pregnant Mares’ Urine) industry. Equine Advocates rescues, protects and prevents the abuse of horses through education, investigation, rescue operations, and the dissemination of information to the public.
The Purr-fect Medicine

Cedarhill Animal Sanctuary in Caledonia, MS, which rescues, rehabilitates and provides a home for abused exotic and domestic cats and other creatures, recently received two NAVS Sanctuary fund grants. The first one provided funds to assist with the medical care of horses that had been rescued from an extremely abusive situation. Then, two days after Christmas, a fire destroyed the building that housed medical supplies and senior domestic cats (sadly, 48 perished). Another grant helped Cedarhill replace medication and begin construction on a new shelter for the surviving cats.

Things Are Really Hopping Now

Wild Rescue, Inc. serves the North Texas community through both domestic rabbit and wildlife rescue and rehabilitation. The organization also maintains Rabbit’s Rest Sanctuary, which houses rabbits awaiting adoption or needing a permanent safe place to live. When flooding damaged the grounds, food and shelters, a NAVS Sanctuary Fund grant enabled Wild Rescue to replace a welded wire chain link fence to protect the rabbits from the elements and marauding wild animals.

The Heat Is On

West Hancock Canine Rescue is an all-volunteer organization located on the banks of the Mississippi River in the small community of Hamilton, IL. The local shelter from which West Hancock volunteers transport stray and surrendered animals to homes and rescue groups in large metropolitan areas is rather dilapidated. A NAVS Sanctuary Fund grant was used for the winterization of the shelter, so that the animals could be warm and comfortable while waiting for their new home.

This Monkey Business We Like

Jungle Friends Primate Sanctuary, located in Gainesville, FL, rescues and offers a permanent, safe haven for monkeys who have been abused, confiscated by authorities, retired from research, or who are ex-pets. A NAVS Sanctuary Fund grant helped Jungle Friends build a shelter for nine monkeys retired from research who were originally scheduled to arrive in spring but were sent earlier than expected.
Get in on the action

Join NAVS and become a more effective and well-informed animal advocate! There’s more than one way to get in on the action for animals—besides reading the Animal Action Report, that is. When you join the National Anti-Vivisection Society, you’ll be helping to support our educational and advocacy programs that spare animals from suffering. Plus, you’ll enjoy valuable membership benefits, including:

- A FREE copy ($15.00 value) of Personal Care for People Who Care, our 200-page book that shows you how to shop cruelty free through listings of cosmetics, household and companion animal products that are and are not tested on animals.

- A FREE year’s subscription to the Animal Action Report, the official newsletter of NAVS. Each issue keeps you informed about what NAVS is doing to save animals from pain and suffering…and what you can do to help.

- A FREE copy of A New Perspective, our special publication that discusses how the law relates to the treatment of animals in our society today…and how it can be used to gain justice for animals.

- Periodic Legislative Alerts to let you know about urgent situations and what you can do to help relieve animal suffering.

Join NAVS today!

Life Partner $1,000
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Life Sponsor $100
Individual Membership $40
Senior Membership $15
Student Membership $15

For more information about NAVS membership, call us at 800.888.NAVS (800.888.6287) or visit us at www.navs.org

All donations are tax deductible.
Use this form for your donation or visit www.navs.org

Please support our work to save more animals

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(CIRCLE ONE)

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Go on-line for the Animal Action Report and de-clutter your mailbox!

Why wait for your postal carrier to deliver your next issue of the Animal Action Report when you can read it on-line as soon as it’s available? It’s faster, more convenient and helps us cut down on mailing and printing costs too, which leaves more money for our other vital programs.

Simply check the box on the donor form above and provide your e-mail address, so that we can send you an “e-blast” notifying you that the next issue of the Animal Action Report is available. You can also give us your e-mail address by registering on our website, www.navs.org.

So go ahead and bail out on snail mail. Register on our website today, or if you’re already registered, simply update your profile. You’ll be helping animals, the environment, NAVS and our programs and yourself—all at the same time!
Help us spread the message of compassion through Project Reach Out for Animals.

If you like the ads (shown right) that we’ve already created, you can help us make sure that more people see them through Project Reach Out for Animals. Through this unique program, we “pool” together your donations so that we can purchase advertising space.

Because positive, lasting change for animals will come directly on the heels of awareness, we need to put the message about the cruelty and waste of animal experimentation in front of as many people as we can, as many times as we can. Your support of Project Reach Out for Animals will help us do it.

If you’d like to earmark funds for Project Reach Out for Animals, simply return the enclosed form or visit www.navs.org. If you’d like to work directly with our advertising specialist to sponsor an ad in your local newspaper or magazine, please call us at 800-888-NAVS (800-888-6287).

We can create ads in many sizes and formats.