

October 17, 2008

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Axel V. Wolff, M.S., D.V.M.
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
Rockledge 1, Suite 360, MSC 7982
6705 Rockledge Drive
Bethesda, MD 20892-7982

RE: Final Report of an Incident of Noncompliance
Animal Welfare Assurance A3196-01

Dear Dr. Wolff:

I am writing to provide you with a report of noncompliance involving animals (mice) belonging to a UCLA investigator. This lab receives funding from various federal sources including National Institutes of Health (NIH) grants.

The Chancellor's Animal Research Committee (ARC) was notified on July 1, 2008 of incidents involving failure of research staff to carry out veterinary orders, as required by ARC Policy¹. Specifically, during the period of April 7, 2008 and June 26, 2008, there had been five (5) instances in which the investigator and his lab failed to reply to, or initiate actions prescribed by veterinary staff regarding sick or injured mice. The animals were all subsequently euthanized by veterinary staff following the 24 hour deadline for response.

In accordance with the ARC Policy, Investigating Allegations of Mistreatment or Other Noncompliance Issues², ARC Chair William McBride contacted the investigator on July 8, 2008 and provided an opportunity to comment on the incidents. At that time, Dr.

¹ In accordance with ARC Policy on Notification of Investigators with Sick or Injured Animals, DLAM veterinary staff contact researchers immediately to order treatment or euthanasia of animals found to be moribund or in a state of undue pain or distress. Upon receiving a sick or injured animal notification, it is the responsibility of the Investigator to do one of the following: 1) Start treatment prescribed by the veterinarian within the time frame stated on the email, and record, date & initial the Treatment Card, or 2) Euthanize the animal within the time frame stated on the email, or 3) Contact the attending veterinarian within the time frame stated on the email to discuss and agree upon an alternative course of action. Failure of research personnel to carry out veterinary orders is considered a serious violation reportable to the NIH Office of Laboratory Animal Welfare.

² ARC Policy, Investigating Allegations of Mistreatment or Other Noncompliance Issues: "In every investigation, the person(s) against whom the complaint has been raised shall be given notice of the concern and provided an opportunity to address the allegations in writing."

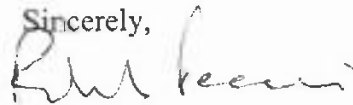
McBride informed the investigator that his current method for addressing veterinary requests in a timely fashion was apparently not working. The investigator was further informed that repeated failure to respond to the health case notifications would likely result in immediate suspension of privileges to conduct animal research at UCLA.

The investigator replied promptly stating that he believed his previous plan to address veterinary notices was effective, but that "a few cases slipped in our system." To address this problem, the investigator again met with his lab staff to discuss the importance of responding to all notices before the stated deadline. He also implemented a "double-proof system" whereas his key lab contact and senior scientist would go over all veterinary notices together to ensure that they have been appropriately addressed before the deadline stated in the notice.

The ARC reviewed the incident at the convened meeting of August 11, 2008, and found the investigator's corrective action plan to be acceptable. In accordance with PHS Policy IV.F.3, the ARC requested that the continued incidents be reported to the NIH Office of Laboratory Animal Welfare (OLAW).

As of the date of this correspondence, the campus veterinarian reports that all health case notices have since been promptly attended to, and there have been no further reports of noncompliance from this lab.

If you have any questions or concerns, please do not hesitate to contact me at (310) 825-7943.

Sincerely,


Roberto Peccei
Vice Chancellor for Research

cc: Maryann Gray, Assistant Provost
William McBride, Chair, ARC
Judith L. Brookshire, Director, OPRS
Kathy Wadsworth, Associate Director, Animal Subjects Research



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

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Rockledge One, Suite 360
6705 Rockledge Drive - MSC 7982
Bethesda, Maryland 20892-7982
Home Page: <http://grants.nih.gov/grants/olaw/olaw.htm>

FOR EXPRESS MAIL:

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Rockledge One, Suite 360
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Bethesda, Maryland 20817
Telephone: (301) 496-7163
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February 12, 2009

Re: Animal Welfare Assurance
A3196-01 [OLAW Case 4H]

Roberto Peccei, Ph.D.
Vice Chancellor for Research
Office of the Chancellor
University of California-Los Angeles
405 Hilgard Avenue
Los Angeles, CA 90024-1405

Dear Dr. Peccei,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your October 17, 2008 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of California, Los Angeles (UCLA). According to the information provided, OLAW understands that during the period of April 7, 2008 to June 26, 2008 there were five instances in which an investigator and his lab failed to reply to, or initiate actions prescribed by veterinary staff regarding sick or injured mice. Funding from the PHS was involved in this activity.

Corrective actions included Dr. McBride counseling the investigator and the investigator meeting with his lab staff and instituting a system wherein his key lab contact and senior scientist would go over all veterinary notices together. At the August 11, 2008 meeting, the ARC found the investigator's corrective action plan to be acceptable.

OLAW appreciates the University of California, Los Angeles' considerations of this matter. This Office also notes that UCLA has implemented several new policies or policy changes as well as educational initiatives over the past several months to address the issue of investigator responsiveness to veterinary animal health orders. These initiatives have been supported at the highest administrative levels at UCLA. OLAW appreciates the efforts by you and the UCLA ARC and we find no reason for further action by this Office.

Sincerely,

Brent C. Morse, DVM
Animal Welfare Program Specialist
Division of Compliance Oversight
Office of Laboratory Animal Welfare

cc: Dr. William McBride, IACUC Chair
Ms. Kathy L. Wadsworth, Associate Director – Animal Subjects Research
Maryann Jacobi Gray, Ph.D., Assistant Provost



Full Assurance Agreement Printout

Assurance Number: A3196-01

Prior Assurance Number: A1440

Institution Name: University of California - Los Angeles

Institution Address: Los Angeles, CA

Site: 00

Dates:

Conditional Data Due:

AAALAC Status: 1

Effective: 07/11/2006

PHS Grant / Contract #:

Expiration: 07/31/2010

Last Modified: 9/16/2008 By: em

AR Reporting Cycle: 01/2009

Chairman: William H. McBride, Ph.D.

Degree: Ph.D.

Title: Professor, Radiation Oncology

Address: Office for Protection of Research Subjects

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