



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

Office of Laboratory Animal Welfare
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:

Office of Laboratory Animal Welfare
Rockledge One, Suite 360
6705 Rockledge Drive
Bethesda, Maryland 20817
Telephone: (301) 496-7163
Facsimile: (301) 402-2803

May 15, 2007

Re: Animal Welfare Assurance
A3196-01 [OLAW Case 3G]

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 May 7, 2007 letter of a final report concerning an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of California, Los Angeles (UCLA) after the initial report via a phone call to this Office on April 12, 2006 by Ms. Kathy Wadsworth and your interim report of August 15, 2006. According to the information provided, OLAW understands that after review of the incident by the ARC, the Committee believes there is clear evidence that the procedures conducted by the two postdoctoral researchers were done so without the knowledge of the PI or approval of the ARC.

Corrective actions consisted of placing the two postdoctoral researchers on Investigatory Leave as of March 8, 2006. They were subsequently terminated from employment. The PI has assured the Committee that he intends to oversee all aspects of future postdoctoral researchers and will perform regular review of all study logs and other documents generated by such researchers.

OLAW understands that the protocol involved was not PHS supported, but concurs that the incident warranted reporting. The establishment and application of policies and practices that are consistent with the provisions of the PHS Policy on Humane Care and Use of Laboratory Animals at UCLA are commendable and avoid the perception of a double standard. We appreciate being informed of the conclusion of this matter and find no cause 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

Box 951405
Los Angeles, CA 90095-1405
phone: 310-825-7943
fax: 310-206-6030
rpeccei@conet.ucla.edu

May 7, 2007

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 – Allegation of Noncompliance.
Animal Welfare Assurance A3196-01

Dear Dr. Wolff:

I am writing to provide you with a final report regarding an allegation of noncompliance reported to you by Associate Director Kathy Wadsworth. At that time, Ms. Wadsworth notified you that a UCLA investigator contacted her on March 6, 2006 to report that two postdoctoral researchers working in his lab had conducted research procedures on zebra fish that were not described in his ARC approved protocol. The investigator stated that the procedures were conducted “without his knowledge or planning.” Further, the investigator claimed that the postdoctoral researchers submitted a manuscript for publication based on the unapproved research. Upon your advice, Ms. Wadsworth contacted the investigator to request that the manuscript be withdrawn from further consideration. It was later learned that the journal had already rejected the manuscript.

The postdoctoral researchers were put on Investigatory Leave on March 8, 2006 and are therefore no longer working with laboratory animals at UCLA. As Ms. Wadsworth also informed you, the postdoctoral researchers had contested the allegations made by the investigator and retained legal representation.

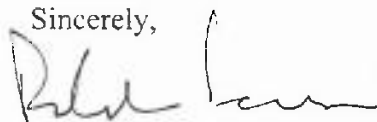
On March 12, 2007, the investigator contacted the ARC to inform them that a settlement between the University and the postdoctoral researchers was reached, and that the aforementioned postdoctoral researchers had agreed to cooperate with the investigation to provide details of their experiments. The postdoctoral researchers were subsequently terminated from employment following the University's investigation of this matter.

The Principal Investigator's final report of this incident was reviewed by the Committee during the convened meeting of April 9, 2007. The report indicated that there is clear evidence that the activities conducted by the two postdoctoral researchers were done so without the knowledge of the Principal Investigator or the approval of the ARC. The report also clarified that that unapproved activities were conducted with fish larva or very young fish (1-5 day old), which were then euthanized with tricaine methane sulfonate, in accordance with the *2000 Report of the AVMA Panel on Euthanasia*.

Additionally, the Principal Investigator has assured the Committee that he intends to oversee all aspects of future postdoctoral researchers' work in his laboratory, and will perform regular review of all study logs and other documents generated by such researchers. The Committee determined that no future action was required at this time.

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

Sincerely,



Roberto Peccei
Vice Chancellor for Research

cc: Professor William McBride, Chair, ARC
Judith L. Brookshire, Director, OPRS
Kathy Wadsworth, Associate Director, Animal Subjects Research

Morse, Brent (NIH/OD) [E]

From: Wadsworth, Kathy [KWads@OPRS.UCLA.EDU]
Sent: Friday, March 16, 2007 11:53 AM
To: Morse, Brent (NIH/OD) [E]
Subject: Industry Scenario

Hi Brent,

I was wondering if you've had time to dig up some good industry scenarios for our workshop yet.

Also, you'll be happy to hear that the lingering "legal entanglements" involving the 2 post-docs and the UCLA researcher (from March 2006) is nearing a conclusion. The results will be discussed at our convened IACUC meeting on April 9. Our IO will send the final report to OLAW thereafter.

Best regards,

Kathy

Kathy Wadsworth
Associate Director-Animal Subjects Research
Office for the Protection of Research Subjects
University of California, Los Angeles
Phone: (310) 825-5227
Email: kwads@oprs.ucla.edu



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August 28, 2006

Re: Animal Welfare Assurance
A3196-01 [OLAW Case 3G]

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 August 15, 2006 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) after the initial report via a phone call to this Office on April 12, 2006 by Ms. Kathy Wadsworth. According to the information provided, OLAW understands that on March 6, 2006, a PI reported that two postdoctoral researchers working in his lab had conducted procedures on zebra fish that were not approved in his research protocol.

Corrective actions consisted of placing the two postdoctoral researchers on Investigatory Leave as of March 8, 2006, during which they are not working with laboratory animals at UCLA. It is further understood that the two researchers have retained legal representation and are contesting the allegations.

We appreciate being informed of the status of this matter. We will maintain an open file and request that UCLA provide this Office with pertinent updated information or a final report from your office when it becomes available.

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

Box 951405
Los Angeles, CA 90095-1405
phone: 310-825-7943
fax: 310-206-6030
rpeccci@conet.ucla.edu

August 15, 2006

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: Follow-up Report – Allegation of Noncompliance.

Dear Dr. Wolff:

I am writing to provide you with a follow-up report regarding an allegation of noncompliance reported to you by Associate Director Kathy Wadsworth. At that time, Ms. Wadsworth notified you that a UCLA investigator contacted her on March 6, 2006 to report that two postdoctoral researchers working in his lab had conducted research procedures on zebra fish that were not described in his ARC approved protocol. The investigator stated that the procedures were conducted “without his knowledge or planning.” Further, the investigator claimed that the postdoctoral researchers submitted a manuscript for publication based on the unapproved research. Upon your advice, Ms. Wadsworth contacted the investigator to request that the manuscript be withdrawn from further consideration. It was later learned that the journal had already rejected the manuscript.

The postdoctoral researchers were put on Investigatory Leave on March 8, 2006 and are therefore no longer working with laboratory animals at UCLA. As Ms. Wadsworth also informed you, the postdoctoral researchers are contesting the allegations made by the investigator and have retained legal representation.

The investigator informed the ARC that he would forward the outcome to them once the matter had been resolved. However, we do not expect to receive any further updates in the near future.

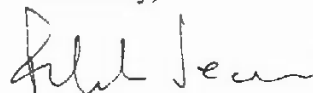
Axel V. Wolff, M.S., D.V.M.

August 15, 2006

Page 2

If you have any questions or concerns, please do not hesitate to contact me at (310) 206-6308.

Sincerely,

A handwritten signature in black ink, appearing to read "Roberto Peccei". The signature is fluid and cursive, with the first name being more prominent.

Roberto Peccei

Vice Chancellor for Research

cc: Dr. William H. McBride, Chair, ARC
Judith L. Brookshire, Director, OPRS
Kathy Wadsworth, Associate Director, Animal Subjects Research

A3196-36



Initial Report of Noncompliance

Date: 4/12/06

Time: 1:00

Name of Person reporting: Kathy Wadsworth

Telephone #: 310 825 5227

Fax #:

Email:

Name of Institution: Univ of California Los Angeles

Assurance number: A3196-36

Did incident involve PHS funded activity? No

Funding component: _____

Was funding component contacted (if necessary): _____

What happened? 2 post-docs did research w/out a sure approval, PI didn't know about it, research was to be published, post-docs said PI did know about it.

Species involved: Zelwafish

Personnel involved:

Dates and times:

Animal deaths:

Projected plan and schedule for correction/prevention (if known): _____

Projected submission to OLAW of final report from Institutional Official:

OFFICE USE ONLY

Case # _____



Full Assurance Agreement Printout

Assurance Number: A3196-01 Prior Assurance Number: A1440
Institution Name: Univ.of California-Los Angeles
Institution Address: Los Angeles, CA Site: 00

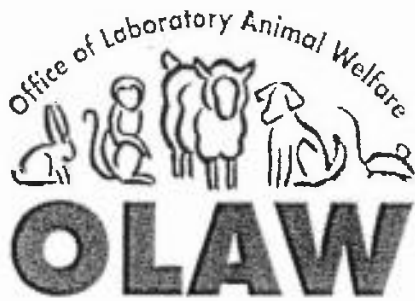
Dates:

Conditional Data Due: AAALAC Status: 1
Effective: 01/25/2002 PHS Grant / Contract #:
Expiration: 01/31/2007 Last Modified: 3/17/2006 By: th
AR Reporting Cycle: 1 2007

Chairman: William McBride, Ph.D. Degree: Ph.D.
Title: Processor, Radiation Oncology
Address: Office for Protection of Research Subjects Phone: (310) 206-6308 Ext:
Box 95169 Fax: (310) 794-9565
Los Angeles, CA 90095-1694
Email: arc@oprns.ucla.edu

Official: Dr. Roberto Peccei
Title: Vice Chancellor for Research
Address: Phone: (310) 825-7943 Ext:
405 Hilgard Avenue Fax: (310) 206-6030
Los Angeles, CA 90024-1405
Email:

POC: Ms. Kathy L. Wadsworth
Title: Associate Director-Animal Subjects Research
Address: Phone: (310) 206-6308 Ext:
Box 951694-1401 PVUB Fax: (310) 825-3676
Los Angeles, CA 90095-1694
Email: kwads@oprns.ucla.edu



Division of Compliance Oversight

Record of Call for Case # A3196-3G

Date & Time	Message	Initials
11/30/06 2:15	Spoke w/ Kathy Wadsworth. No change in status. Legal issues still pending.	JGM
3/6/07 1:20	Spoke w/ K. Wadsworth. She will check status of case + inform OLAW.	JGM