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Lab Animal Violations Decried

Activists Urge NIH to Sanction University for Repeat Offense

By RICK WEISS
Washington Post Staff Writer

"Fool me once, shame on — shame on you. Fool me — you can't get fooled again."
— President Bush, 2002

Concerned that the federal government may not be living up to President Bush's famous two-strikes-and-you're-out philosophy, animal rights activists are asking federal officials how many times a university needs to violate animal welfare regulations before it gets hit with some kind of punishment.

At the center of the storm is the University of North Carolina, which in the past four years has twice had the misfortune of hiring animal laboratory technicians who turned out to be undercover agents for People for the Ethical Treatment of Animals.

The first instance produced embarrassing video footage taken by the employee (one clip showed a lab worker using scissors to cut the heads off of baby rats while saying: "I don't put them to sleep. Maybe it's illegal, but it's easier."). It led to a damning report from the federal Office of Laboratory Animal Welfare. But no sanctions came down from that office, part of the National Institutes of Health, because by the end of that investigation OLAW had determined that the problems had been corrected.

By then, however, PETA had managed to have a new agent hired by UNC. After an 11-month tour of duty, that employee released a new batch of evidence, including more photos and videos, and OLAW opened a new investigation.

The recently released report of that second investigation is remarkable for its similarity to the first report, PETA activists note — including its conclusion that no



PETA's Kate Turlington uncovered violations at UNC.



NIH Director Elias A. Zerhouni was urged to suspend UNC's license.

action needs to be taken because of reassurances that the university has again resolved the problems.

"We looked at the new report

and thought, 'Did they just cut and paste the old one or what?'" said Kate Turlington, the PETA investigator who conducted the first undercover operation, during which she wore a hidden video camera while caring for sick lab animals and talking to co-workers.

In a letter sent this week to NIH Director Elias A. Zerhouni, PETA Vice President Mary Beth Sweetland called for sanctions, such as a suspension of UNC's federal animal research license.

"Surely it should not take a third PETA undercover investigation of UNC to convince NIH that its practice of taking federally funded research institutions at their word is ineffectual," Sweetland wrote. "UNC's repeated, chronic violations ... spotlight the university's lack of respect for NIH authority, and it seems that NIH does not mind one bit."

Tony Waldrop, UNC's vice chancellor for research and development, said that many of the problems found in the second inspection were remnants of problems from earlier on, which were still in the process of being corrected. "It was not new information," he said, noting that a recent follow-up inspection resulted in "an absolute clean bill of health and full accreditation."

Norka Ruiz Bravo, NIH's deputy director for extramural research, which oversees animal research at grantee institutions, said NIH has the authority to pull the plug on research at institutions that repeatedly violate animal welfare rules. But in general, she said, OLAW "doesn't work in a punitive fashion," preferring instead to "work with the institution" to bring it into compliance.

Perhaps most important, UNC says it has updated its screening and background checks for new hires.

Repeat Violations

The federal Office of Laboratory Animal Welfare issued a scathing report on the University of North Carolina's use of lab animals after abuses were revealed by undercover PETA members. A second undercover PETA operation and a follow-up report by OLAW showed similar results:

OLAW REPORT ISSUES	2004	2005
Policy compliance	<p>"there were instances of noncompliance with the PHS Policy and deviations from the Guide for the Care and Use of Laboratory Animals"</p> <p>"deviations from the rodent tumor policy"</p>	<p>"conditions existed at UNC that were not in compliance with the Policy and the Guide."</p> <p>"incidents of tumor policy violations."</p>
Staffing	<p>"inadequate staffing"</p> <p>"Deficiencies in institutional training"</p>	<p>"The number of animal caretaker, technical, and supervisory personnel positions appeared to be ... inadequate"</p> <p>"instances of inadequacies in husbandry and supervisory staff training"</p>
Living conditions of animals	<p>"Overcrowding of rodents"</p> <p>"feed containers or water bottles may become empty ... cage cleaning occurred at less frequent intervals in violation of ... policy."</p> <p>"high mortality among weanling rats"</p>	<p>"a rodent separation policy that was poorly understood by staff and haphazardly implemented frequently resulting in overcrowding"</p> <p>"Inadequacies in feeding, watering, cleaning"</p> <p>"Rodents were sometimes weaned prematurely resulting in animal deaths."</p>
Handling of animals	<p>"failure to ... implement timely [veterinary] treatment"</p> <p>"technicians failed to kill animals in a timely manner"</p> <p>"blanket approval for toe clipping [a painful procedure in which entire toe bones are removed as a means of identifying specific animals; federal regulations call for use only under limited circumstances]"</p>	<p>"missed treatments and delays in implementation of euthanasia."</p> <p>"Euthanasia was not consistently performed in a timely manner."</p> <p>"routine use of rodent toe clipping ... without scientific justification"</p>

SOURCE: Office of Laboratory Animal Welfare, PETA

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