

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

August 17, 2021

Robert M. Gibbens, D.V.M.
Director, Western Region
USDA/APHIS/Animal Care
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Via e-mail: Robert.M.Gibbens@usda.gov

Dear Dr. Gibbens:

I'm writing on behalf of People for the Ethical Treatment of Animals (PETA) and our more than 6.5 million members and supporters worldwide to request swift action from the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) against the University of Wisconsin–Madison (USDA Certificate No. 35-R-0001) for its failure to meet the standard of care for monkeys held in its facilities.

According to records obtained by PETA through a Freedom of Information Act request, UW–Madison reported 14 violations of federal animal welfare guidelines to the National Institutes of Health's Office of Laboratory Animal Welfare (OLAW) earlier this year. It appears to us that eight of these reported incidents, listed below, also represent violations of the federal Animal Welfare Act (AWA) and the associated Animal Welfare Regulations (AWR):

1. In a January 28 letter to OLAW, UW–Madison reported that a rhesus macaque who was being treated for depression had received 1,000 times the prescribed dosage of an antidepressant for seven days before the error was noticed.
2. In a January 28 letter to OLAW, the university reported that a rhesus macaque who had undergone surgery didn't receive the prescribed postoperative analgesic treatment the evening after the surgery.
3. In a March 18 letter to OLAW, the university reported that a marmoset had sustained an injury to his or her foot when an employee closed a pen door without noticing that the animal wasn't fully inside the cage. The injury required veterinary intervention.
4. In a May 14 letter to OLAW, the university reported that three macaques had sustained injuries from fighting that required

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5. veterinary intervention because a divider between their enclosures wasn't properly secured. They were being held in temporary enclosures while their "home" enclosures were sanitized.
6. In a May 14 letter to OLAW, the university reported that an adult macaque had escaped from his or her enclosure and sustained an oral injury that required veterinary intervention. It was determined that the cage lock was broken. Another macaque sustained oral and hand injuries that required veterinary intervention.
7. In a May 14 letter to OLAW, the university reported that an adult macaque who had undergone surgery didn't receive the prescribed postoperative analgesic treatment the day after the surgery until five hours after the scheduled time because the veterinary technician tasked with administering pain relief failed to remember to do so.
8. In a May 14 letter to OLAW, UW–Madison reported that a macaque had escaped from his or her enclosure and sustained an injury that required veterinary intervention.
9. In a May 19 letter to OLAW, UW–Madison reported that an adult rhesus macaque died following multi-organ compromise after being given an overdose of an experimental compound. Three other monkeys also received infusions of this experimental agent at lower doses and survived.

We believe that the treatment of monkeys at UW–Madison indicated in the incidents described above is out of compliance with several standards of the AWR.

I. Failure to Provide Animals With Adequate Veterinary Care

Section 2.33(b) of the AWR states:

Each research facility shall establish and maintain programs of adequate veterinary care that include: ... (2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries ...; (4) Guidance to principal investigators and other personnel involved in the care and use of animals regarding handling, immobilization, anesthesia, analgesia, tranquilization, and euthanasia; and (5) Adequate pre-procedural and post-procedural care in accordance with current established veterinary medical and nursing procedures.

However, the error in the dosage of antidepressant administered to the rhesus macaque described in incident #1 jeopardized the animal's health and safety—particularly given that this error went unchecked for seven days.

Additionally, the failure to administer postoperative analgesic drugs to macaques documented in incidents #2 and #6 constitutes a violation of Section 2.33(b)(4) and (5).

Moreover, the failure to monitor the macaque who received a high dose of the experimental compound described in incident #8 constitutes a violation of Section 2.33(b)(5).

II. Failure to Cage Nonhuman Primates Safely

Section 3.80(a)(2) of the AWR states:

Primary enclosures [for nonhuman primates] must be constructed and maintained so that they: ... (iii) Contain the nonhuman primates securely and prevent accidental opening of the enclosure, including opening by the animal.

However, the escapes documented in incidents #4, #5, and #7 constitute violations of this regulation. Multiple animals were injured as a result of these escapes, representing a failure on the part of UW–Madison to prevent injuries in animals as mandated by Section 2.33(b)(2) of the AWR.

III. Failure to Handle Animals in a Manner That Minimizes Physical Harm

Section 2.38(f)(1) of the AWR states:

Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

The physical harm done to the marmoset in incident #3 represents a violation of this regulation.

IV. Failure to Ensure Personnel Involved in Animal Care Are Qualified to Perform Their Duties

Section 2.32(a) of the AWR states:

It shall be the responsibility of the research facility to ensure that all scientists, research technicians, animal technicians, and other personnel involved in animal care, treatment, and use are qualified to perform their duties.

However, several of the incidents listed above suggest that training and instruction of personnel at UW–Madison are inadequate. In particular, the failure to check the drug dosage in incident #1, the failure to ensure administration of postoperative analgesia in incidents #2 and #6, and the failure to secure cage doors and dividers properly in incidents #4, #5, and #7 all suggest inadequate training and instruction of personnel.

A History of Chronic and Egregious Violations

The violations documented in the OLAW case reports follow a pattern of chronic and egregious violations. It's clear that UW–Madison isn't a facility that has demonstrated success at preventing critical animal welfare issues.

In September 2020, PETA publicized the findings of its six-month [undercover investigation](#) that exposed widespread suffering and neglect at UW–Madison's Wisconsin National Primate Research Center, at which nearly 2,000 monkeys are confined to small, barren steel cages in windowless rooms, where they pace endlessly, tear out their own hair, and attack each other because of severe distress.

In April 2020, your agency fined the school \$74,000 for 28 violations of the AWA, including 23 incidents in which monkeys and other animals sustained lacerations, bruises, and trauma to their faces and bodies—some even needed amputations of their fingers, toes, and portions of their tongues and feet. One monkey who was caged with another stressed animal sustained wounds so deep that part of his vertebrae was exposed. Another was found dead from traumatic injuries. The university even failed to provide monkeys with drinking water for four days, causing dehydration so severe that one animal had to be euthanized. Then, just like now, monkeys died because staff failed to perform their duties, handle the animals safely, or keep them contained.

In February 2014, your agency fined the school \$35,286 for problems similar to those documented in the OLAW case reports: failure to provide animals with adequate veterinary care, failure to handle animals humanely, and failure to provide personnel with adequate training and instruction.

The systemic staffing, husbandry, veterinary, and training negligence cannot continue. We ask that you bring the full scope of your authority to bear in addressing the catastrophic failures in UW–Madison’s laboratories.

Thank you for your attention to this urgent matter. If you have any questions, please contact me at 757-803-6447 or AlkaC@peta.org. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Alka Chandna". The signature is written in a cursive, flowing style.

Alka Chandna, Ph.D.
Vice President
Laboratory Investigations Cases