



November 18, 2021

Jonathan Holloway, Ph.D.  
President  
Rutgers, The State University of New Jersey

Via e-mail: [holloway@rutgers.edu](mailto:holloway@rutgers.edu)

Dear Dr. Holloway:

Thank you in advance for your time. I'm writing on behalf of People for the Ethical Treatment of Animals—PETA entities have more than 9 million members and supporters globally—regarding Rutgers University's killing of nearly 23,000 mice in its laboratories and subsequent shameful taxpayer-funded windfall for repopulating these animals, in response to COVID-19, as reported by a recent investigative report published by *The Daily Targum*.

**Based on the information presented below, PETA U.S. would like to renew our call for Rutgers to reimburse any and all federal and state funds used to acquire, breed, confine, and/or maintain the animals used in experiments whom Rutgers categorized as unnecessary, extraneous, noncritical, non-essential, ramped down, disposable, or nonpriority and/or described using similar terminology and euthanized in response to COVID-19.**

#### **Euthanizing Animals Deemed Extraneous Wastes Taxpayer Funds**

In response to a whistleblower complaint to PETA reporting that Rutgers' suspension of "non-critical" research activities involved the destruction of animals confined to or used in the school's laboratories, last year, we urged

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Rutgers to be transparent on this issue and to end animal use in experiments that are self-described as not critical to the university's research mission.<sup>1</sup>

Confirming the whistleblower allegations, *The Daily Targum* published a special investigation into Rutgers' spending during the pandemic, finding that nearly 23,000 mice—who were designated to be experimented on—were euthanized in early 2020 by the staff of Rutgers Biomedical and Health Sciences in response to the pandemic-related shutdown. The article also highlights the blatant lack of transparency at the university, stating, “Rutgers Office of Research denied that any [animals] had been euthanized or that the pandemic affected their ability to provide a high standard of animal care and welfare,” when in fact, the exact opposite had occurred. Owing to a reported estimated loss of \$1.15 million incurred because of this mass euthanasia, university spokesperson Dory Devlin admitted that Rutgers would be receiving that same amount in compensation from the state of New Jersey.<sup>2</sup> Furthermore, in September, *The Daily Targum* revealed that Rutgers had received nearly \$365 million in federal and state grants, which includes nearly \$80 million from the state of New Jersey.<sup>3</sup>

The fact that laboratories at Rutgers had nearly 23,000 animals it deemed unnecessary, extraneous, noncritical, or non-essential or designated with similar terminology in the first place should raise significant red flags, especially since experiments are funded and/or supported by taxpayers, who should not have to foot the bill for such wasteful experiments.

### **Rutgers' Protocols Apparently Failed to Reduce and Replace Animal Use**

The presence of unnecessary, non-essential, noncritical, or extraneous animals in Rutgers' laboratories flies in the face of existing regulations to minimize animal use in experiments.

NIH-supported language to minimize animal use in experiments is present in the Health Research Extension Act of 1985, the NIH Revitalization Act of 1993, the eighth edition of the *Guide for the Care and Use of Laboratory Animals*, and the U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training.

- The Health Research Extension Act of 1985 states, “The Director of NIH shall require each applicant for a grant, contract, or cooperative agreement involving research on animals ... to include in its application or contract proposal ... assurances satisfactory to the Director of NIH that ... scientists, animal technicians, and other personnel involved with animal care, treatment, and use by the applicant have available to them instruction or training in the ... use of *research or testing methods that limit the use of animals* or limit animal distress” [*emphasis added*].<sup>4</sup>

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<sup>1</sup>People for the Ethical Treatment of Animals. PETA Letter to Rutgers University, June 5, 2020. Accessed November 17, 2021. [https://www.peta.org/wp-content/uploads/2020/06/20-06-05\\_COVID-19\\_Urgent\\_Request\\_to\\_Rutgers\\_University.pdf](https://www.peta.org/wp-content/uploads/2020/06/20-06-05_COVID-19_Urgent_Request_to_Rutgers_University.pdf)

<sup>2</sup>McGay M, Slusser H. Thousands of mice were euthanized at Rutgers during last year's campus shutdown. *The Daily Targum*. November 8, 2021. Accessed November 17, 2021. <https://dailytargum.com/article/2021/11/special-report-thousands-of-mice-were-euthanized-at-rutgers-during-last>

<sup>3</sup>Tai C, Slusser H, McGay M. Special report: Rutgers yet to spend most of \$365 million in pandemic aid. *The Daily Targum*. September 19, 2021. Accessed November 17, 2021. <https://dailytargum.com/article/2021/09/special-report-rutgers-yet-to-spend-most-of-usd365-million-in-pandemic-aid>

<sup>4</sup>Health Research Extension Act of 1985, Publ. L. No. 99-158. Last updated April 27, 2018. Accessed November 17, 2021. <https://olaw.nih.gov/policies-laws/hrea-1985.htm>

- The National Institutes of Health Revitalization Act of 1993 states, “The Director of NIH ... shall prepare a plan ... for the National Institutes of Health to conduct or support research into ... *methods of such research and experimentation that reduce the number of animals used in such research*” [emphasis added].<sup>5</sup>
- The eighth edition of the *Guide for the Care and Use of Laboratory Animals* states, “The Guide ... endorses the following principles: *consideration of alternatives (in vitro systems, computer simulations, and/or mathematical models) to reduce or replace the use of animals*” [emphasis added].<sup>6</sup>
- The U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training (1985) states, “The animals selected for a procedure should be of an appropriate species and quality and *the minimum number required to obtain valid results*” [emphasis added].<sup>7</sup>

When Rutgers’ experimenters buy, breed, trap, and/or use animals who at any time—not just during the COVID-19 pandemic—can be deemed unnecessary, non-essential, noncritical, or extraneous or described using similar terminology, they squander limited research funds, many of which are provided by taxpayers, and flout the bedrock 3Rs principles of reducing, replacing, and refining the use of animals in experimentation that is enshrined in government regulations and policies.

Under this standard, the number of unnecessary, non-essential, noncritical, or extraneous animals used in the aforementioned experiments should have been zero from the start, since they weren’t relevant to the protocols conducted by Rutgers’ employees. Also, because taxpayer funds were used to acquire, breed, confine, and/or maintain these unnecessary, non-essential, noncritical, or extraneous animals who were then so readily euthanized and disposed of in response to COVID-19, Rutgers should reimburse the funding agencies for this fiscal waste instead of seeking compensations for losses incurred.

Furthermore, the Congressional Research Service has found that during the COVID-19 pandemic, “[s]uspending research may result in additional costs for activities such as animal care” and “[r]estarting research, when conditions permit, may also incur costs for staff time and supplies to ... reestablish laboratory animal populations.”<sup>8</sup> Taxpayers shouldn’t be responsible for the additional costs associated with “reestablishing laboratory animal populations,” since Rutgers deemed many of them to be unnecessary, non-essential, noncritical, or extraneous to the experiments and because repopulating animals in laboratories at taxpayers’ expense would appear to violate the aforementioned federal regulations and policies that mandate minimizing the use of animals in experiments.

## **Request for Research Accountability and Modernization**

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<sup>5</sup>NIH Revitalization Act of 1993, Publ. L. No. 103-43. Accessed November 17, 2021.

<https://grants.nih.gov/grants/olaw/pl103-43.pdf>

<sup>6</sup>National Research Council Committee for the Update of the Guide for the Care and Use of Laboratory Animals. *Guide for the Care and Use of Laboratory Animals*. 2011. Accessed November 17, 2021.

<https://grants.nih.gov/grants/olaw/guide-for-the-care-and-use-of-laboratory-animals.pdf>

<sup>7</sup>National Research Council Committee for the Update of the Guide for the Care and Use of Laboratory Animals. Appendix B: U.S. government principles for the utilization and care of vertebrate animals used in testing, research, and training. 2011. Accessed November 17, 2021. <https://www.ncbi.nlm.nih.gov/books/NBK54048/>

<sup>8</sup>Congressional Research Service. *Effects of COVID-19 on the Federal Research and Development Enterprise*. April 10, 2020. Accessed November 17, 2021. <https://crsreports.congress.gov/product/pdf/R/R46309>

We urge you to withdraw the referenced funds allocated to support Rutgers' laboratories and reimburse the state and federal agencies with any and all funds used to acquire, breed, confine and/or maintain the animals whom experimenters deemed unnecessary, non-essential, noncritical, or extraneous or described using similar terminology and then euthanized in response to the university's research shutdown for COVID-19. Moreover, instead of supporting wasteful experiments on animals that do not advance human health, we encourage Rutgers to shift its efforts to projects focused on human-relevant, non-animal research methods, as described in PETA's Research Modernization Deal.<sup>9</sup>

You can contact me at [ShalinG@peta.org](mailto:ShalinG@peta.org). We look forward to your reply regarding this important matter. Thank you.

Sincerely yours,

A handwritten signature in black ink that reads "Shalin G. Gala". The signature is written in a cursive style with a large, sweeping initial "S" that loops under the rest of the name.

Shalin G. Gala  
Vice President, International Laboratory Methods  
Laboratory Investigations Department

cc: Michael E. Zwick, Ph.D., Senior Vice President for Research  
([michael.zwick@rutgers.edu](mailto:michael.zwick@rutgers.edu))

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<sup>9</sup>People for the Ethical Treatment of Animals. *The Research Modernization Deal 2021*. Accessed November 17, 2021. <https://www.peta.org/wp-content/uploads/2020/12/PETA-2021-Research-Modernization-Deal.pdf>