



Animal and Plant  
Health Inspection  
Service  
  
4700 River Road  
Riverdale, MD 20737

11/3/2021

Emory University  
954 Gatewood Road  
Atlanta, GA 30329

License No. : 57-R-0003  
Customer No. : 896

Dear Dr. Nobles:

Your October 27, 2021 appeal of the citation on the USDA inspection report dated September 20<sup>th</sup>, 2021 was thoroughly reviewed by an Animal Care appeal panel consisting of two Supervisory Animal Care Specialist, an Assistant Director, and me. The appeal is addressed below.

The citation for Section 3.125(a) will remain as written on the inspection report. The appeal team reviewed the information provided in your appeal and the inspection documentation, which supported the citation. Injury or escape of an animal related to the structure and security of an animal's primary enclosure is considered a non-compliance under the Animal Welfare Act. Further, the definition of a "critical NCI" includes "NCIs that had a serious or severe adverse effect on the health and well-being of the animal." This definition can be found in Section 2.4.7 of the Animal Welfare Inspection Guide which is posted online. Animal Care appreciates the corrective action taken to avoid such incidents in the future by implementing a wire bar lid insert with narrower gaps.

All decisions made by the appeal panel are final and represent Animal Care's final determination for this appeal.

Sincerely,

Robert Gibbens, DVM  
Director, Animal Welfare Operations  
USDA, APHIS, Animal Care

*USDA Animal Care. Ensuring humane treatment for animals covered by the Animal Welfare Act.*



October 27, 2021

Regional Director  
USDA APHIS Eastern Regional Office  
Suite 200, Main Campus Drive  
Raleigh, NC 27606

**RE: Appeal of citation 3.125(a) on inspection report dated 10/15/21 for 57-R-0003**

Dear Regional Director,

We thank Dr. Stephanie Mayard and her colleagues for the thorough and collegial review of our program conducted on September 20, 2021. Her resultant report is dated October 15, 2021.

We do not agree with the classification of critical noncompliance for the lethal spiny mouse entrapment cited under 3.125(a) (Facilities, general) for the following reasons:

1. It was the only event of its type over Emory University's 24 months and over 62,780 care-days experience with spiny mice between September 1, 2019 and August 31, 2021. It is our understanding that one adverse event in the face of a history of safe housing does not constitute a noncompliance.
2. Caging of the same type is used at other institutions housing spiny mice, including the University of Kentucky and the University of South Florida
3. A review of annual and inspection reports for 2019 and 2020 from the Animal Welfare website showed that the University of South Florida (58-R-0015) apparently did not report any adverse events and had no noncompliant items in association with the housing of a total of 142 spiny mice in cages of the type used by Emory University. Additionally, the University of Kentucky (61-R-0002) likewise had no apparent disclosures of adverse events nor noncompliant items in association with 1886 spiny mice bred or used over that period.

We conclude that the caging of the type used by Emory University was appropriate to the species, structurally sound to a high degree and generally safe for spiny mice. The single finding, while adverse, cannot be attributed to inappropriate facilities or housing and should not put us at risk of a warning letter or fine. In addition, we have taken corrective action to use a wire bar lid insert with narrower gaps that should prevent any possibility of a recurrence. We respectfully request that this finding be removed from the report.

Thank you for your consideration,

Robert Nobles

Robert Nobles, DrPH, MPH, CIP  
Vice President for Research Administration  
Emory University  
1599 Clifton Road NE  
Atlanta, GA 30322  
Office: 404-727-3889

(b) (6), (b) (7)(C)

Email: [robert.e.nobles@emory.edu](mailto:robert.e.nobles@emory.edu)

URL: [www.or.emory.edu](http://www.or.emory.edu)



### Inspection Report

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EMORY UNIVERSITY  
954 Gatewood Road  
Atlanta, GA 30329

Customer ID: **896**  
Certificate: **57-R-0003**  
Site: 001  
WHITEHEAD BIOMEDICAL  
RESEARCH BUILDING

Type: ROUTINE INSPECTION  
Date: 20-SEP-2021

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**2.38(f)(1) Critical**

**Miscellaneous.**

Two handling incidents occurred resulting in animal death or euthanasia:

- On February 10th 2021, a weanling spiny mouse was found dead, positioned behind the feeder against the wall, in a cage that had been changed earlier in the day involving removal and re-attachment of the feeder. Internal investigations determined that trauma sustained during re-attachment of the feeder was likely the cause of death.

- On April 27th 2021, 3 out of 24 individually housed hamsters were found without food in their enclosures and having endured approximately 30% weight loss in 7 days. The hamsters were euthanized due to the severe weight loss.

Inappropriate handling, mainly cage change and feeding, resulted in the death/euthanasia of the animals in these two incidents. Handling shall be done as carefully as possible in a manner that does not cause trauma or physical harm. At the time of inspection, corrective actions and preventive measures had been implemented in both cases.

**3.125(a) Critical**

**Facilities, general.**

On July 9th 2021, a spiny mouse was found dead entrapped in the feeder of a rat shoebox cage. The facility's internal investigation found a defect in the feeder presenting as a slightly wider gap between the wires with the damage likely occurring in cage wash. The investigation concluded that the defective feeder allowing the spiny mouse to become

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**Prepared By:** STEPHANIE MAYARD  
USDA, APHIS, Animal Care  
**Title:** VETERINARY MEDICAL OFFICER

**Date:**  
29-OCT-2021

**Received by Title:** Facility Representative

**Date:**  
29-OCT-2021



## Inspection Report

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entrapped was the cause of death. This enclosure with the damaged feeder did not safely contain the spiny mouse. Housing facilities must be structurally sound to contain and protect the animals from injury. At the time of inspection, corrective actions and preventative measures had been implemented.

This inspection and exit interview were conducted with facility representatives.

Additional Inspectors:

E GONZALEZ, VETERINARY MEDICAL OFFICER

KRISTIN NAPOLI, SUPERVISORY ANIMAL CARE SPECIALIST

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### Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
896	57-R-0003	001	WHITEHEAD BIOMEDICAL RESEARCH BUILDING	20-SEP-2021

Count	Scientific Name	Common Name
000004	<i>Sus scrofa domestica</i>	DOMESTIC PIG / POTBELLY PIG / MICRO PIG
000173	<i>Acomys cilicicus</i>	TURKISH SPINY MOUSE / AFRICAN SPINY MOUSE
000007	<i>Oryctolagus cuniculus</i>	DOMESTIC RABBIT / EUROPEAN RABBIT
000032	<i>Cavia porcellus</i>	DOMESTIC GUINEA PIG
000045	<i>Meriones unguiculatus</i>	MONGOLIAN GERBIL
000261	<b>Total</b>	