



October 20, 2022

Robert M. Gibbens, D.V.M.
Director, Animal Welfare Operations
USDA/APHIS/Animal Care

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 9 million members and supporters globally to request that the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) investigate possible violations of the federal Animal Welfare Act (AWA) and the associated Animal Welfare Regulations (AWRs), related to the use and treatment of a sheep at Cornell University (Cornell; USDA Certificate No. 21-R-0119).

According to records obtained by PETA through the Freedom of Information Act, Cornell reported violations of federal animal welfare guidelines in its laboratories to the National Institutes of Health's Office of Laboratory Animal Welfare (OLAW) from 2021 to 2022. It appears to us that **two** of these reported incidents, listed below, also represent violations of the AWRs.

We believe that the treatment of the sheep at Cornell described in the incidents detailed below is out of compliance with the veterinary-care standards of the AWRs.

I. Incident Involving the Fatality of a Sheep

[In a letter to OLAW](#), Cornell reported that a sheep died after experimenters implanted an unsuccessful carotid artery graft that was of softer material, less resilient to sutures, and was allowed to cure for half of the time (36 hours), compared to the grafts applied to four other sheep in the study. The sheep underwent a second graft similar to the other sheep following the failed graft, but hemorrhaged while trying to stand during recovery, and was euthanized.

Section 2.33(b)(2) of the AWRs states:

Attending veterinarian and adequate veterinary care. 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.

Cornell's failure to prevent injury to the sheep resulted in severe adverse clinical outcomes and the death of the sheep, as required by Section 2.33(b)(2).

II. Incident Involving Unapproved Analgesia of Sheep

[In a letter to OLAW](#), the university reported that between May 21-25, 2021, 24 sheep undergoing orthopedic surgery did not receive the intra-articular local anesthetic administered into the joint pre-operatively or post-operatively, as per

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protocol. Instead, unapproved anesthetics were administered.

Section 2.33(b)(4) of the AWRs states:

Attending veterinarian and adequate veterinary care. Each research facility shall establish and maintain programs of adequate veterinary care that include: ... (4) Guidance to principal investigators and other personnel involved in the care and use of animals regarding handling, immobilization, anesthesia, analgesia, tranquilization, and euthanasia.

However, the school failed to provide the approved pre- and post-operative analgesic to sheep, as required by Section 2.33(b)(4).

[Cornell has failed to comply with additional federal animal welfare guidelines.](#) While these incidents do not fall under the USDA's purview, they offer further evidence of the problems in the school's laboratories. In three separate incidents, experimenters violated protocols when they repeatedly failed to provide mice with water, causing the mice to become dehydrated, hunched, and have poor body condition or ataxia. A mouse died after experimenters failed to ensure the drinking water had the wrong dosage of a drug added to the drinking water. Seven mice died and 32 became lethargic after experimenters failed to conduct observations after infecting the mice with a virus. On two occasions, mice died following intraperitoneal injections; one report indicated that the staff had to be "retrained."

In another incident, experimenters gave mice unapproved isoflurane anesthesia prior to administering injections. Experimenters gave three different types of expired drugs used for anesthesia, analgesia, and euthanasia to 910 mice. On multiple occasions, experimenters in the school's laboratories were found to have used ineffective and unapproved methods and materials to sterilize equipment used in surgical procedures.

The institution's negligence and culture of disregard for basic animal welfare must not be allowed to continue. We urge you to investigate the alarming failures at this facility and take swift and decisive action that includes citing Cornell for violating the AWA.

Thank you for your consideration of this important issue. You can contact me at AndreaK@peta.org or 541-848-7465.

Sincerely,



Andréa Kuchy, Ph.D.
Research Associate
Laboratory Investigations