



February 6, 2023

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 entities have 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 rabbits at the University of Michigan—Ann Arbor (U-M; USDA Certificate No. 34-R-0001).

According to records obtained by PETA through the Freedom of Information Act, U-M reported 18 violations of federal animal welfare guidelines in its laboratories to the National Institutes of Health's Office of Laboratory Animal Welfare (OLAW) from 2018 to 2022. It appears to us that two of these reported incidents, listed below, also represent violations of the AWRs.

1. Incident Involving a Missing Rabbit

[In a letter to OLAW](#), U-M reported that on April 2, 2018, a transgenic rabbit was discovered missing from the vivarium, and there were no records identifying the location of the animal.

Section 3.53(a)(1) of the AWRs states:

General. Primary enclosures shall be structurally sound and maintained in good repair to protect the rabbits from injury, to contain them, and to keep predators out.

U-M failed to ensure that the enclosure was sufficient to contain the rabbit, as required by Section 3.53(a)(1).

2. Incident Involving Transport of Rabbits

[In a letter to OLAW](#), U-M reported that in September 2021, during semi-annual inspections, the Institutional Animal Care and Use Committee (IACUC) identified an instance in which three rabbits were transported in a manner inconsistent with established guidelines. Staff transported the animals between the central vivarium housing room and the laboratory in a container of insufficient wall height and no cover or lid, which created the potential for

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injury had the animals become startled or tried to jump.

Section 3.61(a)(4) of the AWRs states:

Primary enclosures used to transport live rabbits. Primary enclosures, such as compartments, transport cages, cartons, or crates, used to transport live rabbits shall be constructed in such a manner that: ... (1) The structural strength of the enclosure shall be sufficient to contain the live rabbits and to withstand the normal rigors of transportation.

U-M's failure to ensure that transport cages were sufficient to contain the rabbits created the potential for injury to the animals, in apparent violation of Section 3.61(a)(4).

U-M 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 one incident, 53 mice died or were euthanized after they suffered from dehydration because staff had dislodged their water supply during cleaning and failed to notice that they had no access to water. In another incident, 11,548 zebrafish died after staff failed to notice that a hose had fallen into the sanitation tank and that bleach had siphoned into the fish tanks. At least 17 live mice were put into a plastic bag for disposal after experimenters improperly performed euthanasia.

In two separate incidents, experimenters violated protocols and caused 15 mice with tumors to suffer beyond the established humane endpoints at which euthanasia was indicated due to pain or distress. In one of these incidents, experiments were conducted without IACUC approval or veterinary oversight and care.

Experimenters failed to provide animals with appropriate medication, including pain relief, as required by the protocol. For example, 110 mice in a dental pulp exposure study failed to receive post-operative analgesia as stated in the approved protocol. Experimenters failed to use pharmaceutical-grade anesthetics on rodents and gave expired medications, including analgesics and euthanasia drugs, to animals. On two occasions, staff euthanized nearly 100 mice using expired drugs. Experimenters administered an unapproved drug that affects hormones in mice, failed to provide mice with topical ointment against veterinary orders, and gave a pig used in a nonsurvival procedure expired tranquilizers.

Staff also failed to house animals appropriately. Specifically, three mice who were infected with a parasite that causes toxoplasmosis, which causes serious and potentially lifelong infection in humans, were held in a cage appropriate for lesser biosafety conditions. In another incident, staff failed to address a malfunctioning timer, subjecting 22 rats to illumination levels inconsistent with the proper light and dark protocols for an entire month.

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

A handwritten signature in black ink, appearing to be 'A. Kuchy', with a long horizontal stroke extending to the right.

Andr a Kuchy, Ph.D.
Research Associate
Laboratory Investigations Department