

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

April 10, 2023

Robert M. Gibbens, D.V.M.
Director, Animal Welfare Operations
Animal Care
Animal and Plant Health Inspection Service
U.S. Department of Agriculture

Via e-mail: Robert.M.Gibbens@usda.gov; ac.complaints@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 respectfully request swift action from the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) against the University of Wisconsin-Madison (UW-Madison; USDA Certificate No. 35-R-0001) for its failure to meet the standard of care for animals held in its facilities, including at the affiliated Wisconsin National Primate Research Center (WNPRC).

According to federal records obtained by PETA through Freedom of Information Act requests, UW-Madison reported multiple violations of federal animal welfare guidelines to the National Institutes of Health's Office of Laboratory Animal Welfare (OLAW). It appears to us that five of these reported incidents, listed below, also represent violations of the federal Animal Welfare Act (AWA) and the Animal Welfare Regulations (AWRs).

1. In a [March 11, 2022, letter to OLAW](#), UW-Madison reported that for seven days beginning December 31, 2021, an animal caretaker working in the WNPRC administered a glucoregulatory treatment and a liver function support treatment to the wrong monkey. Along with misidentifying the animal's ID number, the animal caretaker also failed to write the entire animal ID on the treatments—allowing the error to continue for a full week.
2. In a [March 16, 2022, letter to OLAW](#), UW-Madison reported that over a period of five and a half years—from 2016 to September 2021—35 of 37 rhesus macaque infants did not receive analgesia following collections of cerebrospinal fluid (CSF), as required by the protocol.
3. In a [September 23, 2022, letter to OLAW](#), UW-Madison reported that laboratory personnel performed 29 blood collections each on three macaques, even though the protocol was only approved for 20 blood collections per animal.

Washington

1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles

2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk

501 Front St.
Norfolk, VA 23510
757-622-PETA

Info@peta.org
PETA.org

Entities

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

4. In an [October 7, 2022, letter to OLAW](#), UW-Madison reported that between June 2021 and March 2022, two macaques underwent leukapheresis three times each, even though the protocol only permitted up to two leukapheresis procedures per animal.
5. In another [October 7, 2022, letter to OLAW](#), UW-Madison reported that an adult female macaque was able to access three juvenile macaques in an adjacent enclosure after the divider separating the two enclosures was inadvertently left open. The adult macaque as well as two of the three juveniles sustained injuries that required veterinary intervention, including fluid therapy and administration of analgesics, antibiotics, and anti-inflammatories.

We believe the treatment of monkeys at UW-Madison, as indicated in the incidents described above, fails to comply with several AWRs.

I. Failure to provide adequate veterinary care to animals

Section 2.33(b) of the AWRs 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, and the availability of emergency, weekend, and holiday care; ... (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 failure to administer medications to a monkey who required treatments— and the administration of those medications to a monkey who did not require them— as described in Incident #1 jeopardized the health and safety of both monkeys, particularly as this error went unchecked for seven days. Moreover, the sloppiness evident in the failure to label the treatments with the full animal ID number constitutes a failure to use appropriate methods in treating the animals involved. The “[c]orrective and preventive measures” taken by the university in addressing these failures was “retraining” the employee, stressing “the need to write the entire animal ID on all treatments and the need to verify an animal’s ID by tattoo before administering any treatments.” That such elementary and seemingly obvious practices would require “retraining” is alarming and suggests possible lapses in the university’s training of personnel.

Additionally, the failure to administer post-procedural pain relief to infant macaques who were subjected to painful CSF taps as documented in Incident #2 constitutes a clear violation of Section 2.33(b)(5) of the AWRs. That this failure continued unchecked for five and a half years suggests systemic problems at the institution. It is not uncommon for humans to experience headaches and back pain following CSF taps, and infant macaques would not mask pain symptoms. That no one in the laboratories noticed that the infants’ pain had not been addressed with analgesia suggests some combination of negligence, incompetence, and disregard.

II. Failure to adhere to protocols approved by the Institutional Animal Care and Use Committee (IACUC)

Section 2.31(c)(7) of the AWRs states:

With respect to activities involving animals, the IACUC, as an agent of the research facility, shall ... (6) Review and approve, require modifications in (to secure approval), or withhold approval of proposed significant changes regarding the care and use of animals in ongoing activities.

However, the failures of laboratory personnel to adhere to the parameters specified in the IACUC-approved protocols—choosing instead to deviate from the protocols—as described in Incidents #3 and 4 constitute violations of Section 2.31(c)(7) of the AWRs. Moreover, these failures exposed animals to additional discomfort and distress, and very likely resulted in additional pain as well—in violation of AWRs focused on minimizing pain, discomfort, and distress to animals used in experimentation.

III. Failure to safely cage nonhuman primates

Section 3.80(a)(2) of the AWRs 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 failure to secure the divider separating two adjacent enclosures, as described in Incident #5, constitutes a failure of Section 3.80(a)(2) and caused such extensive harm to three macaques that veterinary intervention was required.

The violations documented in the OLAW case reports follow a pattern of chronic and egregious violations. In September 2020, PETA publicized the findings of its six-month [undercover investigation](#) that exposed widespread suffering and neglect at UW-Madison's WNPRC, at which nearly 2,000 monkeys are confined to small, barren steel cages in windowless rooms, where they paced endlessly, tore out their own hair, and attacked 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, bruising, and trauma to their faces and bodies, and some needed amputations of their fingers, toes, and portions of their tongues and feet. One monkey who was caged with a 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. A mouse starved to death and another had to be euthanized when the university failed to provide them with food for three consecutive days. And in February 2014, your agency fined the school \$35,286 for its failure to provide adequate veterinary care to animals, failure to handle animals humanely, and failure to provide adequate training and instruction to personnel.

This cannot continue and 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