

PEOPLE FOR  
THE ETHICAL  
TREATMENT  
OF ANIMALS

August 10, 2023

Brent C. Morse, D.V.M.  
Director  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health

Via e-mail: [MorseB@mail.nih.gov](mailto:MorseB@mail.nih.gov)

Dear Dr. Morse:

I'm writing on behalf of People for the Ethical Treatment of Animals U.S.—PETA entities have more than 9 million members and supporters globally. Based on the information presented below, we request that your office investigate possible noncompliances with the Public Health Service Policy on Humane Care and Use of Laboratory Animals (PHS Policy) and the *Guide for the Care and Use of Laboratory Animals* (the *Guide*) related to the treatment of animals at the University of Oklahoma – Norman (Animal Welfare Assurance ID D16-00153) and its associated University of Oklahoma Health Sciences Center (Animal Welfare Assurance ID D16-00104), and, if confirmed, apply all appropriate penalties.

According to a newly released U.S. Department of Agriculture (USDA) inspection report dated May 18, 2023,<sup>1</sup> the agency cited the University of Oklahoma – Norman (OU – Norman) for a “[c]ritical” violation of the federal Animal Welfare Act (AWA) regulations. Specifically, 20 chinchillas did not receive any Buprenorphine SR to reduce their pain and distress following procedures conducted at OU – Norman between September 30, 2022, and December 6, 2022. The Institutional Animal Care and Use Committee (IACUC) at OU – Norman had approved the experiment with the protocol (number R22-007) to include that the chinchillas would receive the pain reliever; however, the records indicate that the protocol was not followed given the complete absence of laboratory personnel giving the pain reliever to the chinchillas. Failure to administer pain relievers causes animals to experience undue pain and distress. The USDA inspection report notes that procedures that may cause more than momentary slight pain or distress to animals must be done with appropriate pain relievers, sedatives, or anesthetics, unless withholding them is “justified for scientific reasons” in writing by the principal investigator and withholding them continues for “only the necessary period of time.” The USDA inspection report

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<sup>1</sup> <https://www.peta.org/wp-content/uploads/2023/08/2023-05-18-univ-of-oklahoma-norman-usda-ir-chinchilla.pdf>

also notes that the IACUC must ensure that laboratory personnel follow the approved protocol and that adequate post-approval monitoring is conducted.

Additionally, according to a separate USDA inspection report dated July 12, 2023,<sup>2</sup> the agency cited the University of Oklahoma Health Sciences Center (OUHSC) for a “[c]ritical” violation of the AWA regulations. Specifically, a New Zealand White rabbit in an OUHSC laboratory suffered a closed severely comminuted fracture, with his left rear leg being broken in multiple places from getting it caught in a floor pen during designated exercise time. The rabbit was euthanized due to the extent of the injury. The USDA inspection report notes that facilities for rabbits must be structurally sound and maintained in good repair to protect animals from injury, as well as to contain animals.

The issues raised in the USDA’s respective inspection reports for OU – Norman and OUHSC —namely, failure to follow protocol and provide specified pain relief to prevent animals from experiencing undue pain and distress, failure of the IACUC to ensure and monitor that a protocol is followed and pain relief is administered to animals, and failure to provide structurally sound and maintained facilities and protect animals from injury—also indicate noncompliance with PHS Policy and the *Guide*.

### **1. Failure to follow protocol and provide specified pain relief to prevent animals from experiencing undue pain and distress**

The *Guide* states, “Personnel caring for animals should be appropriately trained ... and the institution should provide for formal and/or on-the-job training to facilitate effective implementation of the Program and the humane care and use of animals. Staff should receive training and/or have the experience to complete the tasks for which they are responsible” (p. 16). Furthermore, all research groups should receive training that includes animal care and use legislation, IACUC function, and analgesia (p. 17). The *Guide* provides that “[p]ain is a stressor and, if not relieved, can lead to unacceptable levels of stress and distress in animals,” and unrelieved pain may create a situation in which “central pain sensitization results in a pain response to otherwise nonpainful stimuli” (p. 120). It then states, “For these reasons, the proper use of anesthetics and analgesics in research animals is an ethical and scientific imperative” (p. 120). Additionally, the *Guide* explains that reducing postoperative pain optimizes postoperative care and well-being (p. 121).

Under these guidelines, the laboratory personnel at OU should have received training about the need to follow an IACUC-approved protocol and been able to follow protocol to provide post-procedure pain relief to the 20 chinchillas, and then done so. Yet, the OU laboratory personnel failed to do so for a span of 10 weeks.

### **2. Failure of the IACUC to ensure and monitor that a protocol is followed and pain relief is administered to animals**

The *Guide* instructs that an institution’s animal care and use program must include adequate policies, procedures, and practices “to achieve the humane care and use of animals in the laboratory and throughout the institution” (p. 6). Additionally, the institution must maintain an

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<sup>2</sup> <https://www.peta.org/wp-content/uploads/2023/08/2023-07-12-univ-of-oklahoma-usda-ir-rabbit.pdf>

environment in which the IACUC can “function successfully to carry out its responsibilities,” and the institution is responsible for ensuring that “IACUC members are provided with training opportunities to understand their work and role” (pp. 6, 17). Furthermore, the IACUC is responsible for “assessment and oversight” of the institution, and the IACUC should have “sufficient authority and resources (e.g., staff, training, computers and related equipment) to fulfill this responsibility” (pp. 14-15).

However, the OU IACUC’s failure to ensure and monitor that an approved protocol was followed by laboratory personnel—resulting in 20 chinchillas not receiving post-procedure pain relief over a span of 10 weeks—illustrates that the institution did not maintain an environment in which the IACUC could successfully carry out its responsibilities, and the IACUC failed in its oversight of the institution.

### **3. Failure to provide structurally sound and maintained facilities and protect animals from injury**

The *Guide* outlines that an enclosure “should be designed and manufactured to prevent accidental entrapment of animals or their appendages” and that “[a]ll enclosures should be kept in good repair to prevent escape of or injury to animals” (p. 51).

Clearly, OUHSC did not provide an enclosure that was designed and maintained in such a way as to prevent appendage entrapment and injury, as the rabbit got his leg caught and was so severely injured that he was euthanized.

Based on this information, we urge you to investigate these concerns and, if corroborated, take swift and decisive action against OU – Norman and OUHSC.

You can contact me directly by email at [AmandaSc@peta.org](mailto:AmandaSc@peta.org). Thank you for your consideration of this important issue.

Sincerely,



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