

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

August 10, 2023

Roxanne Mullaney, D.V.M.
Deputy Administrator
Animal and Plant Health Inspection Service
U.S. Department of Agriculture

Via e-mail: Roxanne.C.Mullaney@usda.gov

Dear Dr. Mullaney:

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) revoke the Class B license of Emory University (USDA Certificate No. 57-B-0157) and require that the facility decrease or maintain the number of primates it currently holds. Inadequate staffing has already resulted in Emory's failure to comply with the minimal standards mandated by the federal Animal Welfare Act (AWA) and its associated Animal Welfare Regulations (AWR). A recent USDA inspection report highlighted Emory's failure to meet the required frequency of primate cage sanitation—and other husbandry deficits, such as insufficient daily health checks and inadequate provision of food and water, could easily arise from this staffing shortage.

Emory's Institutional Animal Care and Use Committee (IACUC) approved an AWA exception to extend the sanitization frequency of nonhuman primate caging as long as 12 weeks due to labor shortages. This length of time is a significant deviation from the AWR's two-week sanitization requirement for indoor housing that's set out to "prevent an excessive accumulation of dirt, debris, waste, food waste, excreta, or disease hazard." §3.84(b)(2). Although the IACUC has the authority to approve exceptions to the AWR, exceptions should be approved only when "specified and justified." §2.38(k)(1).

APHIS has already confirmed that the exception isn't justified when made due to inadequate staffing. Emory was cited for making use of the exception in an inspection report dated February 14, 2023. During the inspection, a facility representative provided information that 11 weeks had passed since a prior sanitization for an indoor housing area, but the primates in the enclosure weren't being used in an experiment that required an extension of more than two weeks between sanitizations for scientific purposes.

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.)

The inspection report notes that the IACUC had approved the extension of up to 12 weeks due to “labor shortages” but then emphasizes the following:

Exceptions to the AWA regulations and standards can only be made and approved by the IACUC when such exceptions are justified for the research study being conducted. Each research facility must comply in all respects with the regulations and the standards. Exceptions to the standards may be made only when such exceptions are specified and justified in the proposal to conduct the activity and are approved by the IACUC.

APHIS clearly recognizes that not having adequate staffing to complete sanitization requirements isn't in line with the AWR and doesn't justify creating a situation in which there's an accumulation of dirt, debris, waste, food waste, or excreta or an increased disease hazard—all of which harm animals and pose a risk to human health.

Emory must not be permitted to continue breeding primates when it has already demonstrated that it has inadequate staffing to meet minimum animal welfare standards that are mandated by federal law. Not having adequate staffing to complete required sanitization necessitates that adjustments be made so that there *is* adequate staffing—i.e., the number of primates at the facility needs to be reduced and no new primates added—so that not as many cages require sanitization.

If APHIS doesn't take action, Emory and other facilities holding primates will be incentivized to continue on this cost-cutting path of creating exceptions that allow them not to employ enough staff to meet the two-week sanitization requirement and other minimal husbandry needs.

We urge you to investigate these alarming conditions at Emory and take swift and decisive action that includes revoking its Class B license for violating the AWR.

Thank you for your consideration of this important issue. You can contact me at AmandaSc@peta.org.

Sincerely,



Amanda Schemkes, J.D., M.S.
Laboratory Oversight Specialist
Laboratory Investigations Department
PETA

cc: Animal Care, Animal and Plant Health Inspection Service, U.S. Department of Agriculture
(animalcare@usda.gov)