



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) investigate and cite Oregon Health & Science University (OHSU, USDA Certificate No. 92-R-0001) for violating the federal Animal Welfare Act (AWA) and its associated Animal Welfare Regulations (AWR).

OHSU's Institutional Animal Care and Use Committee (IACUC) has approved an AWA exception to extend sanitization frequency of nonhuman primate caging up to four weeks due to significant staff shortages. This length of time is double the AWR's two-week sanitization requirement for indoor housing, which was established 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, they should be approved only when "specified and justified" for scientific purposes in an experiment protocol. §2.38(k)(1).

APHIS has already confirmed that such an exception is not justified when made due to staff shortages, which are not scientific purposes. Emory University (USDA Certificate No. 57-B-0157) was cited in an inspection report dated February 14, 2023, for making use of a sanitization exception based on staff shortages. The inspection report noted 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.

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APHIS clearly recognizes that not having adequate staffing to complete sanitization requirements is not in line with the AWR and doesn't justify creating a situation in which there's an accumulation of dirt, debris, waste, food waste, and excreta, as well as an increased disease hazard—all of which harm animals and pose a risk to human health. Moreover, staff shortages could easily contribute to other husbandry deficits, such as insufficient daily health checks and inadequate provision of food and water.

OHSU must not be permitted to continue with this exception, which demonstrates that it has inadequate staffing to meet minimum animal welfare standards that are mandated by federal law. Not having adequate staffing to complete sanitization requirements means adjustments should be made so that there *is* adequate staffing, i.e., the number of primates at the facility should be reduced—and no new ones added—so that fewer cages require sanitization.

If APHIS does not take action, OHSU and other facilities holding primates will be incentivized to continue down this cost-cutting path of creating exceptions that allow them not to employ sufficient staff to meet the two-week sanitization and other minimal husbandry requirements.

We urge you to investigate these alarming conditions at OHSU and take swift and decisive action.

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

Sincerely,



Amanda Schemkes, J.D., M.S.
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cc: Animal Care, Animal and Plant Health Inspection Service, U.S. Department of Agriculture
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