



January 18, 2024

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

Dear Dr. Morse:

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 your office investigate possible noncompliance 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 California – Irvine (UC Irvine; Animal Welfare Assurance ID D16-00259).

According to a December 5, 2023, U.S. Department of Agriculture (USDA) inspection report for UC Irvine, a pig died after an unqualified staff member failed to administer heparin as directed per protocol. On September 1, 2022, UC Irvine staff placed a pig under anesthesia for a terminal cardiac procedure. Based on the approved protocol, staff should have administered a dose of heparin, but the pig did not receive the heparin, went into cardiac arrest, and was euthanized. The staff member who failed to administer the heparin “had not met the institutional requirements and/or training to work with live animals at this facility.”

The issues raised in the USDA’s inspection report for UC Irvine—failure of veterinary staff to provide appropriate care during surgery and failure of the IACUC and attending veterinarian (AV) to ensure and monitor the administration of appropriate veterinary care—also indicate noncompliance with PHS Policy and the Guide.

1. Failure of veterinary staff to provide appropriate care during surgery

The Guide states, “Successful surgical outcomes require appropriate attention to presurgical planning, personnel training, anesthesia, aseptic and surgical technique, assessment of animal well-being, appropriate use of analgesics, and animal physiologic status during all phases of a protocol involving surgery” (p. 115). Additionally, “[s]urgical outcomes should be continually and thoroughly assessed to ensure that appropriate procedures are followed and timely corrective changes are instituted” (p. 115).

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

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.)

At UC Irvine, the veterinary staff didn't take the necessary steps to have a successful surgical outcome in light of the fact that the staff did not administer to the pig a dose of heparin, a blood thinner that is used to reduce blood clotting during cardiac surgery, as per the approved protocol. The pig went into cardiac arrest as a result. Furthermore, the veterinary staff didn't take care to make sure that the staff member responsible for the administration of the heparin was qualified to do so, and indeed the person did not meet UC Irvine requirements and training to work with live animals.

2. Failure of the IACUC and AV to ensure and monitor the administration of appropriate veterinary care

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 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 and 17). Furthermore, the IACUC is responsible for "assessment and oversight" of the institution and should have "sufficient authority and resources (e.g., staff, training, computers, and related equipment) to fulfill this responsibility" (pp. 14–15).

The IACUC, along with the AV, is "responsible for determining that personnel performing surgical procedures are appropriately qualified and trained in the procedures" (p. 116). Additionally, the Guide outlines that the AV "is responsible for the health and well-being of all laboratory animals used at the institution. The institution must provide the AV with sufficient authority, including access to all animals, and resources to manage the program of veterinary care" (p. 14).

Under this responsibility of the IACUC and AV, the Guide addresses the importance of the proper training for staff involved in animal care and surgeries. It 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). Additionally, "[t]he institution should provide appropriate education and training to members of research teams—including principal investigators, study directors, research technicians, postdoctoral fellows, students, and visiting scientists—to ensure that they have the necessary knowledge and expertise for the specific animal procedures proposed and the species used" (pp. 16–17). Regarding surgeries, the Guide specifically states, "Researchers conducting surgical procedures must have appropriate training to ensure that good surgical technique is practiced—that is, asepsis, gentle tissue handling, minimal dissection of tissue, appropriate use of instruments, effective hemostasis, and correct use of suture materials and patterns" (p. 115).

The IACUC also has the responsibility—under federal law, regulations, and policies—to continually monitor the use and care of animals (p. 33). Post-approval monitoring includes "observation of animals by animal care, veterinary, and IACUC staff and members" (p. 33).

The failure of the IACUC and AV at UC Irvine to ensure and monitor that veterinary staff provided appropriate veterinary care—which resulted in an unqualified person having the

responsibility to administer heparin to the pig as directed per protocol, failing to do so, and the pig going into cardiac arrest—illustrates that the institution didn't maintain an environment in which the IACUC could successfully carry out its responsibilities and that the IACUC and AV failed in their oversight of animal care.

In FY 2023 alone, the National Institutes of Health awarded UC Irvine with over \$211 million. Such funding should be able to ensure that unqualified staff members are not responsible for administering critical medications to animals under anesthesia, but UC Irvine has proven that it cannot meet even basic animal welfare requirements regardless of what resources it has.

We urge you to investigate the concerns summarized in this letter and to take swift and decisive action against UC Irvine. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amanda Schemkes', written in a cursive style.

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