



Emory University  
954 Gatewood Road  
Atlanta, GA 30329

### **SETTLEMENT AGREEMENT**

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

#### **Date of Alleged Violation: July 18, 2019**

**9 C.F.R. § 3.130** Watering. If potable water is not accessible to the animals at all times, it must be provided as often as necessary for the health and comfort of the animal. Frequency of watering shall consider age, species, condition, size, and type of the animal. All water receptacles shall be kept clean and sanitary.

You failed to provide sufficient potable water to animals at your facility.

As documented on the September 13, 2019 inspection report, during a routine cage change the facility observed a water bottle that was improperly placed in the cage which restricted the animals access to the water. This resulted in the vole's death.

#### **Date of Alleged Violation: August 27, 2019**

**9 C.F.R. § 2.38(f)(1)** Miscellaneous. Handling. Handling of animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

You failed to handle animals in a manner that does not cause trauma or physical harm.

As documented on the September 28, 2020 inspection report, two handling incidents occurred resulting in vole deaths. One vole sustained trauma during a cage change, developed seizure-like symptoms and died. A second vole was placed in the wrong cage with a different social group. Two days later, the vole was found dead with wounds consistent with fighting.

#### **Date of Alleged Violation: February 10, 2021 and April 27, 2021**

**9 C.F.R. § 2.38(f)(1)** Miscellaneous. Handling. Handling of animals shall be done as expeditiously and carefully as possible in a manner that does not cause

trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

You failed to handle animals in a way that would prevent trauma or physical harm.

As documented on the September 20, 2021 inspection report, two handling incident resulted in animal deaths. A weanling spiny mouse found behind the feeder against the wall dead. An internal investigation determined that the animal sustained trauma during the reattachment of a feeder during a cage change. Three hamsters were found without food in their enclosures and lost approximately 30% of their body weight in 7 days. The weight loss was attributed to cage changing and feeding. Ultimately, the animals were euthanized due to severe weight loss.

**Date of Alleged Violation: July 9, 2021**

**9 C.F.R. § 3.125(a)** Facilities, general. Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

You failed to construct housing facilities in a manner that is structurally sound to contain and protect the animals from injury.

As documented on the September 20, 2021 inspection report, a spiny mouse was found entrapped in the feeder of a rat shoebox cage. An investigation determined that a defect in the feeder presented a slightly wider gap between the wires that entrapped the spiny mouse causing its death.

**Date of Alleged Violation: August 6, 2021**

**9 C.F.R. § 3.75(a)** Housing facilities, general. Structural construction. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound for the species of nonhuman primates housed in them. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

You failed to construct housing facilities of such material and of such strength as appropriate for the animals therein.

As documented on the September 20, 2021 inspection report, a two-year-old female rhesus macaque was found dead in an outdoor enclosure. An investigation determined that the animal death



resulted from having its lower left leg trapped inside a gap on the wall eight feet above ground.

**Date of Alleged Violation: December 2, 2022**

**9 C.F.R. § 2.38(f)(1)** Miscellaneous. Handling. Handling of animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

You failed to handle animals in a way that would prevent trauma, excessive cooling, physical harm or unnecessary discomfort.

As documented on the February 15, 2023 inspection report, a facility staff member found a dead vole in a freezer outside of a plastic bag. An investigation determined that, on a previous day, six voles had been through euthanasia procedures and placed in the freezer. The euthanasia procedures were incomplete and the animals were not handled properly.

**Date of Alleged Violation: January 19, 2023**

**9 C.F.R. § 3.75(a)** Housing facilities, general. Structural construction. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound for the species of nonhuman primates housed in them. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

You failed to maintain housing facilities in an adequate state of repair appropriate for the animals therein.

As documented on the February 14, 2023 inspection report, a two-year-old female rhesus macaque was found with its head inside a gap at the base of a wall dividing two compounds. An investigation determined that the animal's death resulted from the head being caught in the gap.

**Date of Alleged Violation: May 25, 2023**

**9 C.F.R. § 2.131(b)** Handling of animals. Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

You failed to handle animals as expeditiously and carefully as possible in a manner that does not cause trauma or physical harm. As documented on the January 16, 2024 inspection report, while a lid was removed to perform husbandry tasks, a gerbil jumped out of its



enclosure. The animal sustained multiple fractures of the left front leg, as well as the right hind limb. The animal was euthanized.

The civil penalty amount is \$42,000 to resolve the alleged violation(s) above.

By paying the civil penalty, you are entering into this Settlement Agreement and:

1. Neither admitting nor denying the alleged violation(s) described above,
2. Agreeing to waive your right to a hearing, and
3. Agreeing to waive any action against USDA under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 et seq.) for fees and other expenses incurred in connection with this/these alleged violation(s) or any action against any USDA employee in their individual capacity.