



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE  
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

Office of Laboratory Animal Welfare  
6700B Rockledge Drive, Suite 2500, MSC 6910  
Bethesda, Maryland 20892-6910  
Home Page: <http://grants.nih.gov/grants/olaw/olaw.htm>

FOR EXPRESS MAIL:

Office of Laboratory Animal Welfare  
6700B Rockledge Drive, Suite 2500  
Bethesda, Maryland 20817  
Telephone: (301) 496-7163  
Facsimile: (301) 480-3387

February 26, 2024

Re: Animal Welfare Assurance  
A3281-01 [OLAW Case 2W]

P. Srirama Rao, Ph.D.  
Vice President for Research and Innovation  
Virginia Commonwealth University  
800 East Leigh St.  
Biotech One - (b) (4)  
Richmond, VA 23219

Dear Dr. Rao,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your February 16, 2024 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the Virginia Commonwealth University (VCU) following up on an initial February 15, 2023 notification by telephone.

According to the information provided, this office understands that the VCU Animal Care and Use Committee (ACUC) determined that instances of noncompliance occurred with respect to conditions that jeopardized the health/well-being of animals resulting in harm/death to animals. The final report states the Division of Animal Resources (DAR) was notified by a laboratory team member of 2 missing mice from a cage and identified perforations in the mylar filter paper on cage tops. The animals were discovered in the humane trap within the room. It is stated one mouse was found dead and the other animal was euthanized by the lab member, because it was determined the animal could not be utilized. Investigative results revealed the lab member had removed the wire modular food hopper from the cages without prior consultation with DAR. Per the report, this action permitted the mice to access and chew through the filter paper and escape. It is understood the mice had a specialized bottle-feeding setup, and the lab member removed the food hopper to relocate the bottles to the back of the cage and did not discuss this decision with DAR before doing so. The report states due to the missing hoppers, the animals used the liquid diet bottle to access the cage tops and chew through the filter paper.

It is understood several concerns regarding this incident were identified and include the following (in summary):

- The lab member removed the modular food hopper without consulting with DAR, leading to the escape of the animals and subsequent discovery in the humane rodent trap.
- The DAR husbandry staff member was less experienced than some other staff members and had not encountered some of the less common situations. As a result, they were not aware that they needed to report unusual cage setups to management.
- The DAR husbandry staff member did not accurately verify whether the trap contained a live animal or not. The placement of the trap in an inconspicuous location delayed the discovery of mice in the trap.

In response to the incident, the following corrective action plan was implemented (in summary):

- The lab member has been instructed to relocate the feeding bottles to a location that will allow for assembly of complete cage set-ups that include an empty modular hopper to prevent mice from reaching the filter material. Consultation with DAR is now mandatory for any future cage setup modifications.
- The DAR husbandry staff involved in this incident will receive counseling and training.
- A new DAR SOP on checking vivarium rodent traps was implemented on February 9, 2024. All husbandry staff received training, with a specific focus on the importance of trap checks, during their scheduled staff meeting on February 14, 2024.

It is noted the animals involved in the incident were associated with a PHS-funded research project. It is also noted the IACUC will be briefed on the corrective action plan at their next full committee meeting.

Based on its assessment of this explanation, OLAW understands that the Virginia Commonwealth University has implemented appropriate measures to correct and prevent recurrences of these problems and is now compliant with provisions of the PHS Policy.

We appreciate being informed of these matters and find no cause for further action by this Office.

Sincerely,

Jacquelyn T.

Tubbs -S

Jacquelyn Tubbs, DVM, DACLAM

Senior Animal Welfare Program Specialist

Division of Compliance Oversight

Office of Laboratory Animal Welfare

Digitally signed by Jacquelyn T.  
Tubbs -S  
Date: 2024.02.26 14:23:26  
-05'00'

cc: IACUC contact



February 16, 2024

Jacquelyn Tubbs, D.V.M.,  
Senior Animal Welfare Program Specialist  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
(301) 402-2081

Virginia Commonwealth University

Office of the Vice President for  
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[research@vcu.edu](mailto:research@vcu.edu)

P. Srirama Rao, Ph.D.  
Vice president for research and  
innovation

VCU Animal Welfare Assurance number D16-00180 (A3281-01)

Dear Dr. Tubbs:

Virginia Commonwealth University, in accordance with Assurance D16-00180 (A3281-01) and PHS Policy IV.F.3., provides this report of noncompliance regarding the death of one mouse and one euthanized, which I discussed and reported to you via a telephone call on February 15, 2024.

#### Description of Incident:

The investigator's laboratory team member notified the Division of Animal Resources (DAR) of two missing mice and observed perforations in the mylar filter paper on the cage tops. A responding DAR staff reviewed the situation, discovering mice in the room's humane trap. Unfortunately, one mouse was found deceased, while the other was BAR. The lab staff member, unable to utilize the live animal, decided to euthanize it. The placement of the trap in the room's corner, beneath the sink, made observation challenging. The subsequent investigation revealed that the lab staff member had removed the wire modular food hopper from the cages without prior consultation with DAR. This modification allowed the animals to access and chew through the filter paper on the cage top and escape. These particular animals were on a liquid diet administered through a specialized bottle-feeding setup. The lab member had removed the modular food hopper to relocate the bottles to the back of the cage, a decision made without prior discussion with DAR. However, the hoppers are a critical component of the cage design that prevents animals from accessing the cage top. In the absence of the hopper, the escaped mice were able to utilize the liquid diet bottle as a makeshift ladder to access and subsequently chew through the filter paper.

According to the information collected above, the following concerns were identified:

1. The lab member removed the modular food hopper without consulting with DAR, leading to the escape of animals and subsequent discovery in the humane rodent trap.



2. The DAR husbandry staff member is less experienced than some other staff members and has not encountered some of the less common situations, like missing the modular hopper, that can occur in animal facilities. As a result, they were not aware that they need to report unusual cage setups to management.
3. The DAR husbandry staff member did not accurately verify whether the trap contained a live animal or not. The placement of the trap in an inconspicuous location delayed the discovery of mice in the trap.

**Corrective action plan:**

- 1) The lab member has been instructed to relocate the feeding bottles to a location that will allow for assembly of complete cage set-ups that include an empty modular hopper to prevent mice from reaching the filter material. Consultation with DAR is now mandatory for any future cage setup modifications.
- 2) The DAR husbandry staff involved in this incident will receive counseling and training. The documentation of this training will be forwarded to the Director of the Animal Care and Use Program.
- 3) A new DAR SOP on checking vivarium rodent traps was implemented on February 9, 2024. All husbandry staff received training, with a specific focus on the importance of trap checks, during their scheduled staff meeting on February 14, 2024.

The animals involved in this incident are related to a PHS-funded research project. However, after a review of direct costs associated with the procurement, care, and use of animals, the monetary impact of the noncompliance is considered insignificant, and as such, it was not necessary to make an adjustment to the grant.

We sincerely regret this incident and have taken specific corrective actions to strengthen our program and prevent similar occurrences. The IACUC will be briefed on these corrective actions at their next full committee meeting.

We appreciate your consideration of VCU's efforts to minimize future occurrences. VCU remains committed to animal welfare and recognizes its ethical responsibilities in ensuring the welfare of research animals and complying with the PHS Policy on the Humane Care and Use of Laboratory Animals.

Sincerely,

**(b) (6)**

P. Srirama Rao, Ph.D.

Vice President for Research and Innovation



**Ware, Teagan (NIH/OD) [E]**

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Tuesday, February 20, 2024 7:18 AM  
**To:** (b) (6)  
**Cc:** Srirama Rao; (b) (6) OLAW Division of Compliance Oversight (NIH/OD); Tubbs, Jai (NIH/OD) [E]  
**Subject:** RE: [EXTERNAL] Follow-up noncompliance letter (VCU Assurance# D16-00180/A3281-01)

Good morning,

Thank you for providing this report for OLAW case **A3281-2W**. We will send an official response soon.

Best,  
Teagan

Teagan Ware, MS, PMP  
Animal Welfare Program Analyst  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health

Phone: 301-435-2390  
Email: [teagan.ware@nih.gov](mailto:teagan.ware@nih.gov)

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**From:** (b) (6)  
**Sent:** Sunday, February 18, 2024 11:31 PM  
**To:** Tubbs, Jai (NIH/OD) [E] <jacquelyn.tubbs@nih.gov>; OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Cc:** Srirama Rao <psrao@vcu.edu>; (b) (6)  
**Subject:** [EXTERNAL] Follow-up noncompliance letter (VCU Assurance# D16-00180/A3281-01)

Dear Dr. Tubbs,

I have attached the follow-up noncompliance letter, which has been signed by VCU's Institutional Official, Dr. Rao (cc'd on this email). I provided you with preliminary information regarding this matter via phone on February 15. The attached written report offers a comprehensive explanation of the situation and outlines the actions undertaken by VCU IACUC.

We appreciate your attention to this matter, and VCU is committed to fulfilling its obligations in compliance with the Public Health Service Policy on the Humane Care and Use of Laboratory Animals and the Guide, while also maintaining a steadfast commitment to animal welfare.

If you have any questions regarding this issue, please feel free to contact me at (b) (6) or via email at (b) (6)

Sincerely,

(b) (6)



A3281-2W

## Initial Report of Noncompliance

By: J. Tubbs

Date: 02-15-2024

Time: 1:30pm

Name of Person reporting: (b) (6)

Telephone #:

Fax #:

Email: (b) (6)

Name of Institution: Virginia Commonwealth University

Assurance number: D16-00180 (A3281-01)

Did incident involve PHS funded activity? Yes

Funding component:

Was funding component contacted (if necessary): \_\_\_\_\_

What happened?

Two animals found in a humane trap in an animal room. The PI had removed the hopper because of their study needs resulting in their escape from the cage. The PI did not discuss with the veterinary staff before making modifications. 2 mice located in the live traps, one animal found dead and the other was alive.

Species involved: mouse

Personnel involved: research staff and animal care staff

Dates and times: January 2024

Animal deaths: yes

Projected plan and schedule for correction/prevention (if known): \_\_\_\_\_

Projected submission to OLAW of final report from Institutional Official:

60-90d

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Case # \_\_\_\_\_