



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

April 3, 2024

Re: Animal Welfare Assurance
A3245-01 [OLAW Case 5J]

Frederick H. Epstein, Ph.D.
Professor and Interim Vice President for Research
University of Virginia - Charlottesville
P.O. Box 400301
Charlottesville, VA 22904-4301

Dear Dr. Epstein,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your report of an incident of noncompliance with the PHS Policy on the Humane Care and Use of Laboratory Animals at the University of Virginia (UVA Compliance Case #: 2024-A), received March 26, 2024. According to the information provided it is understood that a PI was seen leaving an overcrowded mouse cage unattended while exposing the cage to CO2 for euthanasia. Several days later, the Clinical Veterinarian witnessed an additional unattended cage being euthanized by CO2 wherein the PI entered the room to retrieve the euthanized animals. The IACUC policy on euthanasia does not permit cages to be overcrowded during euthanasia procedures, and it requires that animals be monitored continuously during euthanasia. The activity was PHS funded.

The IACUC required that the PI and animal handlers review the euthanasia policy in detail and adhere to the requirements for ensuring animal well-being during euthanasia. The PI was told that any future non-compliance related to euthanasia would result in sanctions for individuals or the protocol. The PI was reminded of their responsibility for modeling for their trainees behavior consistent with providing humane and responsible treatment of animals. The PI responded to the IACUC concerns and indicated that the laboratory reviewed the euthanasia policy immediately and they will review the policy as a group at least annually. The policy was made readily available to animal handlers.

OLAW believes that the corrective and preventive measures put in place by the University of Virginia are consistent with the provisions of the PHS Policy on Humane Care and Use of Laboratory Animals. We appreciate being informed of this matter and find no cause for further action by this office.

Sincerely,
Brent C.

Morse -S

Brent C. Morse, DVM
Director

Division of Compliance Oversight
Office of Laboratory Animal Welfare

Digitally signed by Brent C.
Morse -S
Date: 2024.04.03 14:18:03
-04'00'

cc: IACUC Contact

University of Virginia
Animal Care and Use Compliance Report
PHS Assurance # A3245-01

The Institutional Animal Care and Use Committee (IACUC) discovered the following compliance issue. Due to the timing of the discovery, investigation, and resolution, a preliminary email notification to OLAW was not feasible. This document is a summary of the incident, actions taken, and final resolution.

UVA Case #: 2024-A

OLAW Case #: not assigned

Nature of Incident(s):	Condition that jeopardized the health or well-being of animals resulting in actual harm or death (mice)
Summary of Incident:	The veterinary and husbandry staff reported that the PI failed to follow the IACUC policy for euthanasia resulting in a serious animal welfare issue. The PI was seen leaving an overcrowded mouse cage unattended while exposing the cage to CO ₂ for euthanasia. Several days later, the Clinical Veterinarian witnessed an additional unattended cage being euthanized by CO ₂ wherein the PI entered the room to retrieve the euthanized animals. The IACUC policy on euthanasia does not permit cages to be overcrowded during euthanasia procedures, and it requires that animals be monitored continuously during euthanasia.
Action taken by IACUC:	<p>The Director of the Office of Animal Welfare met with the PI. The PI assumed that it was acceptable to temporarily leave the euthanasia room to retrieve additional cages for euthanasia because the animal housing and euthanasia rooms were in close proximity to one another. The PI indicated that they were understaffed at the time and was trying to work quickly to euthanize animals. The PI was told to formulate a corrective action plan for the IACUC to review.</p> <p>The IACUC discussed the incident and determined that it was a significant deficiency. The overcrowded condition of the single cage had the potential for jeopardizing the health of the animals (increased distress) prior to euthanasia. Leaving the two cages unattended during euthanasia potentially jeopardized animal health. The IACUC required that the PI and animal handlers review the euthanasia policy in detail and adhere to the requirements for ensuring animal well-being during euthanasia. The IACUC did not consider understaffing to be relevant to ensuring animal well-being at all times. The PI was told that any future non-compliance related to euthanasia would result in sanctions for individuals or the protocol. The PI was reminded of their responsibility for modeling for their trainees behavior consistent with providing humane and responsible treatment of animals.</p>
Action taken by PI:	The PI responded to the IACUC concerns and indicated that the laboratory reviewed the euthanasia policy immediately and they will review the policy as a group at least annually. The policy was made readily available to animal handlers.

Action taken by IACUC:	The IACUC felt that the PI responded appropriately and no further action was deemed necessary.
Decision/Resolution:	The IACUC considered the incident resolved.
Federal Funding:	R01-DC013773
Notification of Final Disposition:	<input checked="" type="checkbox"/> IO <input checked="" type="checkbox"/> OLAW
Institutional Official: Dr. Frederick H. Epstein	<div style="background-color: #cccccc; padding: 5px; display: inline-block;">(b) (6)</div> Date:

Ware, Teagan (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Tuesday, March 26, 2024 10:57 AM
To: (b) (6)
Cc: (b) (6) OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: Compliance Report, UVA 2024-A

Good morning,

Thank you for providing this report, which has been assigned as OLAW case **A3245-5J**. 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

***Disclaimer:** Please note that this message and any of its attachments are intended for the named recipient(s) only and may contain confidential, protected, or privileged information that should not be distributed to unauthorized individuals. If you have received this message in error, please contact the sender.*

From: (b) (6)
Sent: Tuesday, March 26, 2024 9:46 AM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>; Morse, Brent (NIH/OD) [E] <morseb@mail.nih.gov>
Cc: (b) (6)
Subject: [EXTERNAL] Compliance Report, UVA 2024-A

Dr. Brent Morse, Division Director
Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health RKL 1, Suite 360, MSC 7982
6705 Rockledge Dr., Bethesda, MD

Dr. Morse:

We previously submitted an email notification on a compliance matter, UVA 2024 2023 A (see attached).

The IACUC reviewed the incident and the corrective actions and has determined that this matter is now resolved to their satisfaction.

I have reviewed their final report and I agree with their recommendations.

(b) (6)