



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

Office of Laboratory Animal Welfare
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Home Page: <http://grants.nih.gov/grants/olaw/olaw.htm>

FOR EXPRESS MAIL:

Office of Laboratory Animal Welfare
Rockledge One, Suite 360
6705 Rockledge Drive
Bethesda, Maryland 20817
Telephone: (301) 496-7163
Facsimile: (301) 402-2803

September 3, 2008

Re: Animal Welfare Assurance
A3196-01 [OLAW Case 4E]

Dr. Roberto Peccei
Vice Chancellor for Research
University of California, Los Angeles
405 Hilgard Avenue
Los Angeles, CA 90024-1405

Dear Dr. Peccei,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your August 29, 2008 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of California- Los Angeles, following up on an initial telephone report on July 23, 2008. According to the information provided, OLAW understands that students were involved in the conduct of animal activities without being listed on the protocol or being enrolled in the institutional animal research health surveillance program. These students had also posted inaccurate information about animal activities on a website.

The corrective actions consisted of counseling the Principal Investigator (PI) regarding his supervisory responsibilities over staff and suspending the animal use privileges of the students in question. The preventive measure implemented by the PI consisted of developing a checklist to be used when processing new staff which will use animals to ensure that all requirements have been met. Regular laboratory meetings will be held to discuss relevant regulations and compliance with approved protocols. The Institutional Animal Care and Use Committee (IACUC) must provide final approval of all new animal users.

Based on its assessment of this explanation, OLAW understands that measures have been implemented to correct and prevent recurrence of the problem. OLAW concurs with the actions taken by the IACUC to comply with the PHS Policy. We appreciate having been informed about this matter and find no cause for further action by this Office.

Sincerely,

Axel Wolff, M.S., D.V.M.
Director,
Division of Compliance Oversight

cc: William McBride, Ph.D., IACUC Chair
Kathy Wadsworth, Associate Director-Animal Subjects Research
MaryAnn Gray, Assistant Provost

SEP 8 10:08 AM 7:19

Box 951405, 2147 Murphy Hall
Los Angeles, CA 90095-1405
phone: 310-825-7943
fax: 310-206-6030
rpeccei@conet.ucla.edu

August 29, 2008

Axel V. Wolff, M.S., D.V.M.
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
Rockledge 1, Suite 360, MSC 7982
6705 Rockledge Drive
Bethesda, MD 20892-7982

RE: Final Report of an Incident of Noncompliance
Animal Welfare Assurance A3196-01

Dear Dr. Wolff:

I am writing to provide you with a final report of noncompliance involving unauthorized persons handling laboratory animals in a UCLA laboratory. This matter was initially reported to you via phone by Associate Director Kathy Wadsworth on July 23, 2008, in accordance with PHS Policy IV.C.8¹. The noncompliance included federally funded research, but did not involve USDA-covered species.

As Ms. Wadsworth informed you, the ARC was notified of an internet posting describing disturbing and inaccurate information about animal activities conducted in a UCLA laboratory. It was learned that the internet posting was written by students from another University who were beginning a Summer internship at UCLA.

Though the posting was indeed disturbing, the only violation of PHS Policy or UCLA's Animal Welfare Assurance involved in this matter pertained to the students' unauthorized access to laboratory animals. The students did complete the required species-specific training and passed the ARC General Certification examination. However, they were not listed on the protocol, nor were they enrolled in UCLA's animal research health

¹ PHS Policy IV.C.8. "If the IACUC suspends an activity involving animals, the Institutional Official in consultation with the IACUC shall review the reasons for suspension, take appropriate corrective action, and report that action with a full explanation to OLAW"

surveillance program: A requirement of all personnel that may have access to laboratory animals or animal facilities.

As Institutional Official for UCLA's animal care and use program, I expressed my concern regarding the actions of the students referenced above. I also reminded the Principal Investigator that since these students were not listed in the approved protocols, they should not have had access to laboratory animals. Further, I reminded him that as Principal Investigator, he is accountable for ensuring that all personnel listed under his approved protocols perform their duties in accordance with PHS and ARC policies. As these two students demonstrated a lack of maturity and judgment in posting such information on the internet, I suspended them from performing any work with laboratory animals during their internship at UCLA.

In accordance with the ARC Policy, Investigating Allegations of Mistreatment or Other Noncompliance Issues², the investigator was contacted on July 21, 2008 and provided an opportunity to comment on the incident. The investigator replied promptly, stating that the *"primary reason for the incident was the absence of several key members of the laboratory for vacations, and most importantly, [the investigator's] absence for out of town meetings and talks."* He further stated that during the year *"when the laboratory is at full strength several people monitor issues of compliance."*

To avoid future noncompliance, the investigator developed a checklist for each new member of the research team to complete before experiments with animals are initiated. The list includes the appropriate ARC and husbandry courses, necessary tests and shots, a and filed health surveillance form. The final item on the checklist is the investigator's or supervisor's initials indicating that the individual was approved by the ARC.

In addition, the investigator indicated that he will dedicate a laboratory meeting *"every quarter to a discussion of the importance and value of compliance with ARC rules and regulations. During this time [they] will also review laboratory procedures to ensure that compliance with approved protocols."*

The ARC reviewed the incident and the investigator's response at the convened meeting of August 11, 2008. The Committee found the investigator's response and corrective action to be acceptable. In accordance with PHS Policy IV.F.3, the ARC requested that the incident be reported to the NIH Office of Laboratory Animal Welfare (OLAW).

If you have any questions or concerns, please do not hesitate to contact me at (310) 825-7943.

Sincerely,

² ARC Policy, Investigating Allegations of Mistreatment or Other Noncompliance Issues: *"In every investigation, the person(s) against whom the complaint has been raised shall be given notice of the concern and provided an opportunity to address the allegations in writing."*

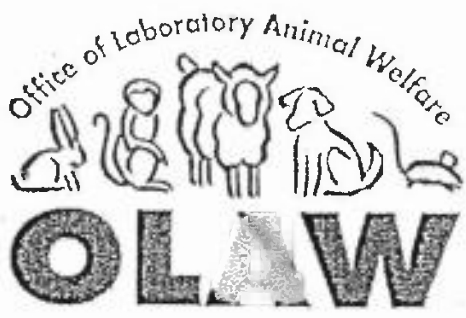
Axel V. Wolff, M.S., D.V.M.
August 28, 2008

Page 3

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

Roberto Peccei
Vice Chancellor for Research

cc: Maryann Gray, Assistant Provost
Dr. William McBride, Chair, ARC
Judith L. Brookshire, Director, OPRS
Kathy Wadsworth, Associate Director, Animal Subjects Research



Initial Report of Noncompliance

Date: 7/22/08

Time: 8:30

Name of Person reporting: Kathy [unclear]
 Telephone #: 310 825 3227
 Fax #:
 Email:

Name of Institution: VCCA
 Assurance number: A3196

Did incident involve PHS funded activity? _____
 Funding component: _____
 Was funding component contacted (if necessary): _____

What happened?
 Study at [unclear] protocol...
 Handled animals

Species involved:
 Personnel involved:
 Dates and times:
 Animal deaths:

Projected plan and schedule for correction/prevention (if known): _____
 Report study progress to [unclear]

Projected submission to OLAW of final report from Institutional Official:

OFFICE USE ONLY
 Case # _____

