



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

July 15, 2020

Re: Animal Welfare Assurance
A3224-01 [OLAW Case 1O]

Dr. Erin Kobetz
Vice Provost for Research
University of Miami
1400 NW 10th Ave -
1205 Dominion Towers
Miami, FL 33136

Dear Dr. Kobetz,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your letter dated July 2, 2020 reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of Miami. Your letter supplements the information provided in a phone call to this office on March 10, 2020. According to the information provided, OLAW understands that during an IACUC inspection in mid-February at the Rosenstiel School of Marine & Atmospheric Science campus of the University of Miami, a PI at the Marine School noted that a security perimeter fence surrounding an outdoor hatchery of breeding cobia (*Rachycentron canadum*) had been cut, resulting in a large opening. After a census was conducted it was determined that seven fish were missing. The research team could find no evidence of any reason for the missing fish other than the break in the fence. The research team and IACUC members believe that one or more unknown individual(s) either entered the facility via the opening after dark, or they otherwise had access to the area to steal the animals. The animals were not supported with PHS funds.

When the break in the fence was discovered, the following security measures were in place:

- Ten-foot high perimeter fences reinforced with razor wire and barbed wire surround the hatchery.
- Cameras were in place to photograph intruders.
- Signage inside the facility indicated that the fish are not for human consumption and may have been exposed to non-food grade chemicals.

In addition to the above, the following new security measures are now in place:

- The fence was repaired and reinforced.
- The University updated its policies regarding access to the vivarium at the Rosenstiel School of Marine & Atmospheric Science campus to include background checks of new employees.
- The University instructed Campus Security to walk the perimeter of the property every hour day and night.
- The University requested the Miami-Dade police department to add the Hatchery location to a watch list, and the police will conduct some nightly surveillance of the property.

Based on the information provided, OLAW is satisfied that appropriate actions have been taken to investigate this incident, provide corrective measures, and prevent recurrence. OLAW concurs that the incident warranted reporting. Although this activity was not PHS funded, the application of the expectations of the PHS Policy across the animal care and use program reduces any potential appearance of a double standard. We appreciate being informed of this matter and find no cause for further action by this office.

Sincerely,

(b) (6)

Brent C. Morse, DVM
Director
Division of Compliance Oversight
Office of Laboratory Animal Welfare

cc: IACUC contact



July 2, 2020

Brent Morse, 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: Assurance#: A3224-01
Sponsor: Non-PHS

Dear Dr. Morse,

This letter is a follow up to the preliminary report we provided on March 6, 2020, regarding an issue of non-compliance in an animal research program at the Rosenstiel School of Marine & Atmospheric Science campus of the University of Miami.

At an IACUC inspection in mid-February, a PI at the Marine School noted that a security perimeter fence surrounding an outdoor hatchery of breeding cobia (*Rachycentron canadum*) broodstock had been cut, resulting in a large opening. At that time, it was difficult to determine when the break occurred and whether the break was humanmade or from natural wear and tear.

The IACUC requested the hatchery to conduct a census to determine if animals had been compromised. The IACUC received a report at the March 6 meeting that seven juvenile cobia (*Rachycentron canadum*) fish were missing. The research team could find no evidence of any reason for the missing fish other than the break in the fence. The research team and IACUC members believe that one or more unknown individual(s) either entered the facility via the opening after dark, or they otherwise had access to the area to steal the animals.

When the break in the fence was discovered, the following security measures were in place:

- Ten-foot high perimeter fences reinforced with razor wire and barbed wire surround the hatchery.
- Cameras were in place to photograph intruders.
- Signage inside the facility indicated that the fish are not for human consumption and may have been exposed to non-food grade chemicals.

In addition to the above, the following new security measures are now in place:

- The fence was repaired and reinforced.
- The University updated its policies regarding access to the vivaria at the Rosenstiel School of Marine & Atmospheric Science campus to include background checks of new employees as we remain uncertain as to whether an employee caused the disappearance.



- The University instructed Campus Security to walk the perimeter of the property every hour day and night.
- The University requested the Miami-Dade police department to add the Hatchery location to a watch list, and the police will conduct some nightly surveillance of the property.

The University considered installing closed-circuit cameras on the fenceline for continuous surveillance. However, the COVID-19 pandemic has led to the unavailability of funding for this endeavor. The above actions should be effective in deterring future illegal activity.

The University of Miami is committed to the protection of animal subjects in research. If OLAW requires further information regarding this matter, please let me know.

Sincerely,

(b) (6)

Erin Kobetz, PhD, MPH
Vice Provost for Research
Associate Director, Population Sciences and Cancer Disparity, Sylvester Comprehensive Cancer Center
Professor, Medicine and Public Health Sciences
University of Miami
Office: (b) (6)
Cell: (b) (6)

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Wednesday, July 8, 2020 7:32 AM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: University of Miami report

Thank you for this report, (b) (6) We will respond soon.

Axel Wolff, M.S., D.V.M.
Deputy Director, OLAW

From: (b) (6)
Sent: Tuesday, July 7, 2020 4:27 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: Kobetz, Erin <ekobetz@med.miami.edu>; (b) (6)
(b) (6)
Subject: University of Miami report

Dear Dr. Morse,

Attached is a follow up letter for a noncompliance that we reported initially on March 6, 2020. Please let us know if you have any questions.

Regards,
(b) (6)

--

(b) (6)



Initial Report of Noncompliance

By: (b) (6)

Date: 3/10/20

Time: 2:40

Name of Person reporting: (b) (6)

Telephone #: (b) (6)

Fax #:

Email:

Name of Institution: Univ. of Miami

Assurance number:

Did incident involve PHS funded activity? No

Funding component:

Was funding component contacted (if necessary):

What happened? Fish stolen from Marine School within last 30 days, Barb wire fence cut, Cobia stolen, still checking on #s and other species, Access to outdoor tanks from beach also.

Species involved: Cobia

Personnel involved: None

Dates and times: Last 30d.

Animal deaths: Unsure

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

Working with Marine School security. Provost notified. Programmatic since previous theft.

Projected submission to OLAW of final report from Institutional Official:

Long-term. Told to submit final report with plans + schedules.

OFFICE USE ONLY

Case #