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According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0036. The time required to complete this information collection is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

OMB APPROVED 0579-0036

This report is required by law (7 U.S.C. 2143). Failure to report according to the regulations can result in an order to cease and desist and to be subject to penalties as provided for in Section 2150.

Interagency Report Control No. 0180-DOA-AN

Fiscal Year: 2009

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

ANNUAL REPORT OF RESEARCH FACILITY

(TYPE OR PRINT)

REGISTRATION NUMBER: 31-R-0091

Customer Number: 254

2. HEADQUARTERS RESEARCH FACILITY *(Name and Address, as registered with USDA, include ZIP Code)*

Ricerca Biosciences Llc
7528 Auburn Road
Concord, OH 44077

Telephone: (440) 357 3300

3. REPORTING FACILITY *(List all locations where animals were housed or used in actual research, testing, teaching, or experimentation, or held for these purposes. Attach additional sheets if necessary.)*

FACILITY LOCATIONS *(Sites)* *See Attached Listing*

REPORT OF ANIMALS USED BY OR UNDER CONTROL OF RESEARCH FACILITY *(Attach additional sheets if necessary or use APHIS FORM 7023A.)*

A. Animals Covered By The Animal Welfare Regulations	B. Number of animals being bred, conditioned, or held for use in teaching, testing, experiments, research, or surgery but not yet used for such purposes.	C. Number of animals upon which teaching, research, experiments, or tests were conducted involving no pain, distress, or use of pain-relieving drugs.	D. Number of animals upon which experiments, teaching, research, surgery, or tests were conducted involving accompanying pain or distress to the animals and for which appropriate anesthetic, analgesic, or tranquilizing drugs were used.	E. Number of animals upon which teaching, experiments, research, surgery, or tests were conducted involving accompanying pain or distress to the animals and for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results, or interpretation of the teaching, research, experiments, surgery, or tests. *(An explanation of the procedures producing pain or distress on these animals and the reasons such drugs were not used must be attached to this report.)*	F. TOTAL NUMBER OF ANIMALS (Cols. C + D + E)
4. Dogs		392	146	12	550
5. Cats		20			20
6. Guinea Pigs	10	50			50
7. Hamsters		10	43		53
8. Rabbits	12	111	14		125
9. Non-human Primates	14	154	1	1	156
10. Sheep					
11. Pigs		12	5		17
12. Other Farm Animals					
13. Other Animals					

ASSURANCE STATEMENTS

1.) Professionally acceptable standards governing the care, treatment, and use of animals, including appropriate use of anesthetic, analgesic, and tranquilizing drugs, prior to, during, and following actual research, teaching, testing, surgery, or experimentation were followed by this research facility.

2.) Each principal investigator has considered alternatives to painful procedures.

3.) This facility is adhering to the standards and regulations under the Act, and it has required that exceptions to the standards and regulations be specified and explained by the principal investigator and approved by the Institutional Animal Care and Use Committee (IACUC). **A summary of all such exceptions is attached to this annual report.** In addition to identifying the IACUC approved exceptions, this summary includes a brief explanation of the exceptions, as well as the species and number of animals affected.

4.) The attending veterinarian for this research facility has appropriate authority to ensure the provisions of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use.

CERTIFICATION BY HEADQUARTERS RESEARCH FACILITY OFFICIAL
(Chief Executive Officer (C.E.O.) or Legally Responsible Institutional Official (I.O.))
I certify that the above is true, correct, and complete (7 U.S.C. Section 2143).

SIGNATURE OF C.E.O. OR I.O.

NAME AND TITLE OF C.E.O. OR I.O. *(Type or Print)*

(b)(6), (b)(7)c

DATE SIGNED 10/23/2009

RECEIVED
OCT 29 2009

NP 2/23/2010

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Column E Explanation

This form is intended as an aid to completing the Column E explanation. It is not an official form and its use is voluntary. Names, addresses, protocols, veterinary care programs, and the like, are not required as part of an explanation. A Column E explanation must be written so as to be understood by lay persons as well as scientists.

1. Registration Number: 31-R-0091

2. Number 5 total of animals used in this study. 5 in CoC E

3. Species (common name) DOG of animals used in the study.

4. Explain the procedure producing pain and/or distress.

(E)
One dog (female) ~~died~~ exhibited emesis, abnormal gait, retching, decreased activity, labored breathing, rapid heart rate, lengthened capillary refill time and death within 17 minutes of dosing.
The other dogs may have been in distress due to emesis (4/4), tremors (2/4), trembling (2/4), and retching (3/4) observed postdose; signs generally resolved within a few hours after dose administration

5. Provide scientific justification why pain and/or distress could not be relieved. State methods or means used to determine that pain and/or distress relief would interfere with test results. (For Federally mandated testing, see Item 6 below)

For one animal, pain and/or distress was due to the test article administered; death occured too quickly to alleviate pain/distress.
For the other animals, possible distress could not be alleviated because it would preclude evaluation of toxicity.

6. What, if any, federal regulations require this procedure? Cite the agency, the code of Federal Regulations (CFR) title number and the specific section number (e.g., APHIS, 9 CFR 113.102):

Agency_____ CFR_____

OCT 2 9 2009

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Column E Explanation

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1. Registration Number: 31-R-0091

2. Number 4 TOTAL of animals used in this study. 1 in Col E

3. Species (common name) MONKEY of animals used in the study.

4. Explain the procedure producing pain and/or distress.

Following administration of test article, treated animal was ataxic and unable to sit on perch. Dosing was discontinued to preclude further toxicity of test article

5. Provide scientific justification why pain and/or distress could not be relieved. State methods or means used to determine that pain and/or distress relief would interfere with test results. (For Federally mandated testing, see Item 6 below)

Dose range finding study is conducted to assess maximum tolerated dose. Used to provide/set dose levels for acute and chronic toxicity testing.

6. What, if any, federal regulations require this procedure? Cite the agency, the code of Federal Regulations (CFR) title number and the specific section number (e.g., APHIS, 9 CFR 113.102):

Agency OECD/FDA (401) CFR

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Column E Explanation

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1. Registration Number: 31-R-0091

2. Number 32 total of animals used in this study. 2 in Col E

3. Species (common name) Dog of animals used in the study.

4. Explain the procedure producing pain and/or distress.

administration of test article resulted in 1 animal found dead on Day 6 and one found dead Day 8

5. Provide scientific justification why pain and/or distress could not be relieved. State methods or means used to determine that pain and/or distress relief would interfere with test results. (For Federally mandated testing, see Item 6 below)

Pain and/or distress was due to the test article administration. Animals were found dead prior to any potential alleviation of pain and/or distress.

6. What, if any, federal regulations require this procedure? Cite the agency, the code of Federal Regulations (CFR) title number and the specific section number (e.g., APHIS, 9 CFR 113.102):

Agency _____ CFR _____

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Column E Explanation

This form is intended as an aid to completing the Column E explanation. It is not an official form and its use is voluntary. Names, addresses, protocols, veterinary care programs, and the like, are not required as part of an explanation. A Column E explanation must be written so as to be understood by lay persons as well as scientists.

1. Registration Number: 31-R-0091

2. Number 24 total of animals used in this study. 5 in Col E

3. Species (common name) Dog of animals used in the study.

4. Explain the procedure producing pain and/or distress.
Administration of test article resulted in 3 animals found dead on Day 6 and 2 animals found dead on Day 7.

5. Provide scientific justification why pain and/or distress could not be relieved. State methods or means used to determine that pain and/or distress relief would interfere with test results. (For Federally mandated testing, see Item 6 below)
Pain and/or distress was due to the test article administered. Animals were found dead prior to any potential alleviation of pain and/or distress.

6. What, if any, federal regulations require this procedure? Cite the agency, the code of Federal Regulations (CFR) title number and the specific section number (e.g., APHIS, 9 CFR 113.102):

Agency _____ CFR _____

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JAN 19 2010

Via FedEx Express

January 18, 2010

Nicolette Petervary, VMD
Regional Animal Care Specialist
Eastern Region, Animal Care
USDA, APHIS
920 Main Campus Drive, Suite 200
Raleigh NC 27606

Dear Dr. Petervary:

RE: Annual Report for FY 2009,
Additional Information for APHIS form 7023 Column E Query

This letter is in response to your inquiry for clarification of the unrelieved distress (Column E) in a primate reported by Ricerca Biosciences, LLC in our 2009 Annual Report.

The primate in question was observed to be uncoordinated and unable to use the cage perch after dosing with test article on the range finding portion of the study to determine a maximum tolerated dose. The monkey did not appear to be painful. The monkey's clinical condition was thought to be possibly due to treatment with test article, and so the treatment was to discontinue dosing with test article. Additional treatment was not given so the monkey's response/recovery could be evaluated without masking clinical signs. The monkey recovered uneventfully and was able to perch normally within 24 hours of signs being observed.

The range-finding portion of the study to determine maximum tolerated dose was run under the June 2009 International Committee on Harmonization Guidance on Non-Clinical Safety Studies for the Conduct of Human Clinical Trials and Marketing Authorization for Pharmaceuticals (CPMP/ICH/286/95). The recommendations of this guidance promote international harmonization for the conduct of nonclinical safety studies to support clinical development among regions of the European Union, Japan, and the United States.

I hope that the above information provides an appropriate clarification to our initial response.

Sincerely,

(b)(6), (b)(7)c

cc: Dr. Norma Harlan, VMO
Dr. Ellen Magin, SACS

Ricerca Biosciences, LLC • 7528 Auburn Road, Concord, OH 44077 USA
www.ricerca.com • Phone 440-357-3300 • Fax 440-354-6276

MP
2/23/2010