



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE  
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

Office of Laboratory Animal Welfare  
Rockledge One, Suite 360  
6705 Rockledge Drive B MSC 7982  
Bethesda, Maryland 20892-7982  
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) 402-7065

August 6, 2018

Re: Animal Welfare Assurance  
#A3340-01 (OLAW Case Z)

Dr. Roberto Osegueda  
Vice President for Research  
The University of Texas at El Paso  
500 W. University Avenue  
Administration Building, (b) (4)  
El Paso, TX 79968

Dear Dr. Osegueda,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your June August 1, 2018 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at The University of Texas at El Paso, following up on an initial July 17, 2018 telephone notification. According to the information provided, OLAW understands that two sentinel mice died as a result of food deprivation. Room records indicated that twice daily checks were performed as scheduled, but a student and staff member stated that the cage was located in a dimly lit area of the rack within the animal room.

The corrective actions consisted of reassigning specific responsibilities, including cage change and health checks, to each employee every two months to ensure accountability while preventing fatigue; revising the relevant Standard Operating Procedures (SOPs) to emphasize critical tasks involved in animal welfare; implementing a new-hire training process based on the revised SOPs and issuing a written/verbal reprimand for identified deficiencies.

The establishment and application of policies and practices that are consistent with the provisions of the PHS Policy on Humane Care and Use of Laboratory Animals at The University of Texas at El Paso are commendable and avoid the perception of a double standard. We appreciate having been informed about this matter and find no cause for further action by this Office.

Sincerely,

(b) (6)

Neera V. Gopee, DVM, PhD, DACLAM, DABT  
Animal Welfare Program Specialist  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare

cc: IACUC Chair



August 1, 2018

Vice President  
for Research

Neera Gopee, DVM, PhD  
Veterinary Medical Officer  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
6700B Rockledge Drive, Suite 2500, MSC 6910  
Bethesda, MD 20892

Assurance: D16-00221(A3340-01)

Re: Assurance D16-00221 (A3340-01)

Dear Dr. Gopee:

The University of Texas at El Paso (UTEP), in accordance with PHS Policy IV.F.3., provides this report concerning an animal welfare issue. The IACUC office communicated the incident to OLAW with a preliminary telephone report and requested a case be opened on July 13, 2018 on behalf of the IO.

#### Report

The Attending Veterinarian (AV) notified the IACUC office on Monday, May 21, 2018 to report an animal incident. Two sentinel mice were found dead and may have been attributed to a lack of food. The IACUC Office notified the IACUC Chair and Institutional Official (IO) regarding the incident and the IACUC Chair requested an investigation and assigned a sub-committee. The investigation was carried out between May 31, 2018 and June 8, 2018. Details of the investigation, and the proposed corrective measures are outlined below.

#### Cage details and location:

The mice were housed in a green-line cage. The food hopper is located at the back of the cage on this particular model. The cage was on a less populated, double-sided rack, at eye level and facing the wall away from the door (green bar on diagram below). A student and one staff member indicated this area was a bit dark and difficult to assess the cages.



#### Details of Incident

During the daily morning animal checks on Monday, June 21, 2018, a LARC staff noticed a cage containing two dead mice. The Quality Control Manager (QC Manager), was notified and came to inspect the cage and, upon further inspection, noticed that both sentinel mice had expired. The QC Manager indicated that the cage bottom had no food crumbs, the bedding had very little droppings, and the state of the carcasses indicated that the mice had likely been without food for more than a couple of days. The AREA form verified that the room had been checked at least twice a day from May 14-20, 2018.

El Paso, Texas

79968-0587

(915) 747-5680

Cage change-outs occur bi-weekly and are usually conducted on a Monday. It was confirmed that cage changes occurred on Monday, May 14, 2018 in the room where the incident occurred. At the time of the incident, a LARC member was able to outline the cage changing process to the sub-committee and was pretty confident that all cages changed in that room received clean bottoms and tops (which included food and water). There were two LARC staff members assigned to change cages that week. They were separately changing cages in the room but did not check each other's work.

Each LARC employee interviewed agreed that:

- All LARC staff are responsible for this outcome.
- Assigned rooms would be a way to hold accountability.
- More than one daily check is necessary.

Findings:

Through the course of the investigation, several factors were noted that may have contributed to the incident, however it was human error and oversight and a failure of checks and balances. Based on the findings, the committee recommends the corrective measures below:

Corrective Measures:

- Define areas of responsibility to include cage changing and animal welfare checks to each full-time employee in order to increase accountability. Re-assignments will be done every 2 months to avoid fatigue.
- All LARC personnel interviewed in this investigation, including the AV as the PI, to be subject to monitoring of the implemented measures outlined below.
  - Re-organized the standard operating procedures (SOP) to focus upon the most important and fundamental duties of animal welfare.
  - Instituted a formal new-hire training process focused on the SOPs.
  - Implemented a long-standing plan for rotating area assignments to foster pride and accountability.
  - Issue written/verbal warning to employees when deficiencies are identified.

I concur with the measures outlined above as The University of Texas at El Paso is committed to protecting the welfare of animals used in research and appreciates the guidance and assistance provided by OLAW in this regard. Should you have any questions regarding this report, please contact me at (b) (6) or via e-mail at [osegueda@utep.edu](mailto:osegueda@utep.edu).

Thank you for your consideration of this matter.

Sincerely,

(b) (6)

Roberto A. Osegueda, PhD  
Vice President for Research  
Institutional Official  
The University of Texas at El Paso

## Morse, Brent (NIH/OD) [E]

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Friday, August 03, 2018 7:18 AM  
**To:** Inst Animal Care & Use Committee; OLAW Division of Compliance Oversight (NIH/OD)  
**Cc:** Osegueda, Roberto A.; (b) (6)  
**Subject:** RE: Assurance: D16-00221(A3340-01)

Thank you for providing this final report. We will send an official response soon.

Best regards, Brent Morse

Brent C. Morse, DVM, DACLAM  
Director  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health

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**From:** Inst Animal Care & Use Committee [mailto:iacuc@utep.edu]  
**Sent:** Thursday, August 02, 2018 6:50 PM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>; Gopee, Neera (NIH/OD) [E] <neera.gopee@nih.gov>  
**Cc:** Osegueda, Roberto A. <osegueda@utep.edu>; (b) (6)@utep.edu; Inst Animal Care & Use Committee <iacuc@utep.edu>; (b) (6)@utep.edu  
**Subject:** Assurance: D16-00221(A3340-01)

Dear OLAW Division of Compliance Oversight,

On behalf of the Institutional Official, attached is a final report concerning an animal welfare issue that was initially reported via telephone on July 13, 2018. The original signed document was sent via certified mail yesterday, August 01, 2018, and should arrive at your office within the next few days.

Please contact the IACUC office if you have any questions or concerns

Sincerely,

(b) (6)





## Initial Report of Noncompliance

By: Nerve Cooper

Date: 7-17-18

Time: 11:42am

Name of Person reporting: (b) (6)

Telephone #: (b) (6)

Fax #:

Email:

Name of Institution: University of Texas El PasoAssurance number: A3340-01

Did incident involve PHS funded activity? \_\_\_\_\_

Funding component: \_\_\_\_\_

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

What happened?

On May 21st, 2 sentries found dead due to food deprivation.  
Appears to have a training issue due to large turnover in personnel.

Species involved: mice

Personnel involved:

Dates and times:

Animal deaths:

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

Projected submission to OLAW of final report from Institutional Official:

OFFICE USE ONLY

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