



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

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June 7, 2018

Re: Animal Welfare Assurance
A3427-01 [OLAW Case H]

Dr. Jane A Nisbet
Senior Vice Provost for Research
University of New Hampshire - Durham
105 Main St., Thompson Hall, [REDACTED]
Durham, NH 03824-3527

Dear Dr. Nisbet,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your May 24, 2018 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of New Hampshire. According to the information provided, OLAW understands that on April 27, 2018 the IACUC was informed that chickens had been housed at the UNH Thompson School of Applied Sciences after the protocol had been administratively closed on May 17, 2017 due to a lack of response from the Principal Instructor to reminders to request an extension of the expiring protocol approval. Upon notification, the Program Chair of Applied Animal Science stated that all student use of the animals would stop and the animals would be relocated off-campus. Although it was not stated, it is assumed by OLAW that this animal activity was not funded by the PHS or the NSF.

Corrective and preventive actions included removing animal use privileges of the Primary Instructor. If she wishes to use animals in the future, she must do so as named personnel under a protocol by a different Primary Instructor. Animal use at the Thompson School will be monitored by the IACUC by requesting a list of courses to be offered in the Fall 2018 that involve vertebrate animals and the corresponding instructor and protocol number. Faculty and staff at the Thompson School will be informed over the summer of the requirement for a protocol for courses where animals will be used.

OLAW appreciates the prompt consideration of this matter by the University of New Hampshire, which was consistent with the philosophy of institutional self-regulation. Based on the information provided, OLAW is satisfied that appropriate actions have been taken to investigate the incident and to prevent recurrence. Although this activity was not PHS funded, the application of the standards 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
Acting Director
Division of Compliance Oversight
Office of Laboratory Animal Welfare

cc: IACUC Contact

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- d) **The situation presents a serious deviation from acceptable practices, and demonstrates a significant lack of responsibility on the part of Ms. Powers regarding animal use at UNH.**

In response, the IACUC has taken the following action:

- I. Ms. Powers is not allowed to submit to the IACUC applications for the use of vertebrate animals in instruction as the Principal Instructor. If she plans to use vertebrate animals in future courses, she will need to identify well ahead of time for a qualified individual to act as the Principal Instructor, taking ultimate responsibility for the animal use, and who will submit an application to the IACUC for review, with Ms. Powers named as personnel.**
- II. If Ms. Powers fails to have another individual obtain IACUC approval for a course where she plans to use vertebrate animals, then no vertebrate animal use will be allowed in that course.**

In an effort to prevent this situation occurring in the future, the IACUC administrator will henceforth notify the department chair, associate dean, and dean when IACUC approval expires and is not renewed for courses that involve vertebrate animal use.

This summer, the Thompson School will undergo a major revision of its programs. Accordingly, I have requested that the Dean of the College of Life Sciences and Agriculture (COLSA) (the Thompson School is part of COLSA) to:

- a) Provide to me and the IACUC by June 30 a list of the courses to be offered by the Thompson School in Fall 2018 that involve vertebrate animal use, the instructor for each, and where applicable, the IACUC protocol # that covers the use of vertebrate animals in each course.**
- b) Communicate soon with the Thompson School faculty and staff about the importance of obtaining IACUC approval during this summer for any of these courses where there is no current IACUC approval. This will help ensure that by the start of the Fall 2018 semester, IACUC approval is in place for each course where vertebrate animal use is planned.**

In accordance with UNH's Assurance, I am reporting this occurrence of noncompliance to you.

At this point, the IACUC and I have determined that the episode has been addressed and appropriate corrective action taken.

Please contact me if you have any questions or need further information about this case.

Sincerely,

(b) (6)

**Jane A. Nisbet, Ph.D.
Senior Vice Provost for Research**

**cc: Jessica Bolker, IACUC Chair
Dean Elder, IACUC Vice-Chair, Attending Veterinarian, and Director, Animal Resources Office
Julie Simpson, Director, Research Integrity Services**