



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) 480-3377

June 1, 2022

Re: Animal Welfare Assurance  
#A3083-01 (OLAW Case 3N)

Dr. Robert Rubin  
President and Chief Executive Officer  
Lovelace Respiratory Research Institute  
2425 Ridgecrest Drive, SE  
Albuquerque, NM 87108

Dear Dr. Rubin,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your May 12, 2022 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the Lovelace Respiratory Research Institute. According to the information provided, OLAW understands that on the morning of 28 April 2022, a male mouse was found hunched, shaking, and cold in the home cage. A female mouse in the same cage appeared normal. The cage lacked food. The male mouse responded to supportive treatment and recovered. The mice had been placed in the cage as a breeding pair the day before and food was inadvertently not given. The study was funded by a PHS contract.

Corrective and preventive actions consisted of requiring the responsible individuals to fill-out a checklist for each cage they work with, including checking for adequate food and water, for two weeks. The checklist must be confirmed by a second, qualified individual.

The prompt consideration of this matter by the Lovelace Respiratory Research Institute was consistent with the philosophy of institutional self-regulation. Similarly, the actions taken to resolve the issue and prevent recurrence were appropriate. We appreciate being informed of this matter and find no need for further action by this office. Thank you.

Sincerely,

**Brent C. Morse** -

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Morse -S  
Date: 2022.06.01 12:58:15  
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Brent C. Morse, DVM

Director

Division of Compliance Oversight

Office of Laboratory Animal Welfare

cc: IACUC contact



May 12, 2022

Assurance A3083-01

Brent C. Morse, DVM, DACLAM  
Director  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institute of Health  
Rockledge 1, Suite 360, MSC 7982  
6705 Rockledge Drive  
Bethesda, MD 20892-7982

Dear Dr. Morse,

Lovelace recognizes our responsibility to directly and promptly report adverse events on PHS funded work. This letter is to inform your office of a recent incident involving a significant deviation from the Guide on a PHS funded project. A genetically modified mouse was found without food during morning husbandry observations. The prime contract number for this study is 75N9501D00012.

The incident was investigated by the IACUC investigative subcommittee and the following details were found. On the afternoon of 27Apr2022, at approximately 2:30pm males and females were being paired for breeding. One cage, containing one wild type female mouse and one genetically modified male mouse were inadvertently not provided food. The animals were provided a few yogurt drops and water. The PM husbandry observations performed by the animal husbandry team had already been completed prior to the pairing, around approximately 1pm. The following morning at approximately 6:30am, the animal husbandry team noted that this cage had no food and the male was hunched, shaky and cold to the touch. The female mouse was observed to be normal. Veterinary staff were consulted immediately and provided the male mouse with wet food, diet boost, subcutaneous fluids and heat support. The animal was observed to be readily eating and, by the following morning, had made a full recovery.

The following corrective action plan was implemented following the incident:

1. The individuals who had worked with the animals will be required to fill out a check list for each cage they work with for a time frame of two weeks. The checklist will include that the animals are provided food and water. That must be reviewed in the animal room and verified by a second, qualified staff member.

2. The incident was also addressed by Lovelace's Human Resources department for additional disciplinary action.

The corrective action plan has been reviewed and approved by the Attending Veterinarian. Lovelace is committed to protecting the welfare of animals. We appreciate any guidance provided by OLAW in this regard. Should you have any questions or require more information feel free to contact the Attending Veterinarian, Rachel Cooper at (b) (6) or the IACUC Chair, Dr. Jeremy Brower at (b) (6).

Sincerely,

(b) (6)

Dr. Robert W. Rubin, PhD  
President and CEO  
Institutional Official  
Lovelace Respiratory Research Institute

**Wolff, Axel (NIH/OD) [E]**

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Friday, May 13, 2022 7:44 AM  
**To:** (b) (6)  
**Cc:** OLAW Division of Compliance Oversight (NIH/OD)  
**Subject:** RE: Non-compliance Reporting

Thank you for this report. We will send a response soon.

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

**From:** (b) (6)  
**Sent:** Thursday, May 12, 2022 4:10 PM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Cc:** Brower, Jeremy <jbrower@lovelacebiomedical.org>; (b) (6) rcooper  
<rcooper@lovelacebiomedical.org>  
**Subject:** [EXTERNAL] Non-compliance Reporting

Good afternoon,

Attached to this email you will find a letter regarding a non-compliance that we are reporting to OLAW. Please let us know if you require any more information from us regarding this incident. Thank you for your attention to the matter and any guidance you may offer.

Warm regards,

(b) (6)

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