



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

April 22, 2022

Re: Animal Welfare Assurance
A3255-01 [OLAW Case 2Z]

Dr. Christopher S. Brown
Institutional Official
Vice President for Research
University of Alabama- Birmingham
1720 2nd Ave. S, 720C
Birmingham, AL 35294-0107

Dear Dr. Brown,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your March 31, 2022 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of Alabama at Birmingham (UAB). This letter had not been preceded by a preliminary report to OLAW.

According to the information provided, this Office understands that the UAB Animal Care and Use Committee (ACUC) determined that instances of noncompliance occurred with respect to: failure to adhere to the IACUC-approved protocol. The final report states a lab member did not remove fur prior to performing a minor surgical procedure. It is also stated there were no adverse outcomes and 40 mice were involved in the noncompliance. In response to the incident, the lab member and investigator were retrained on appropriate surgical technique and will receive additional oversight for the next six months. It is noted that this research project is supported by PHS funding. Based on its assessment of this explanation, OLAW understands that the University of Alabama at Birmingham has implemented appropriate measures to correct and prevent recurrences of these problems and is now compliant with provisions of the PHS Policy.

We appreciate being informed of these matters and find no cause for further action by this Office.

Sincerely,

Jacquelyn
T. Tubbs -S

Digitally signed by
Jacquelyn T. Tubbs -S
Date: 2022.04.22
09:53:34 -04'00'

Jacquelyn Tubbs, DVM, DACLAM
Senior Animal Welfare Program Specialist
Division of Compliance Oversight
Office of Laboratory Animal Welfare

cc: IACUC Contact

Tubbs, Jai (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Monday, April 18, 2022 9:10 AM
To: Wolff, Axel (NIH/OD) [E]; OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: preliminary report

No worries, I have the case file.

Thanks!

J. Tubbs

From: Wolff, Axel (NIH/OD) [E] <wolffa@od.nih.gov>
Sent: Monday, April 11, 2022 1:05 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Subject: RE: preliminary report

I have lots of preliminaries from her but I'll have to check on the specific hair issue. I'll let you know.

From: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Sent: Monday, April 11, 2022 1:02 PM
To: Wolff, Axel (NIH/OD) [E] <wolffa@od.nih.gov>
Subject: FW: preliminary report

Hi Axel,

Can you tell me if you a preliminary phone report floating around in your office? I have the final report for this case (A3255-2Z) for a lab member that did perform hair removal on 40 mice prior to performing an approved procedure. They referenced a prelim report from December 13, 2021 but I can't find it. Let me know your thoughts on Wednesday when you return. I'll keep the response in draft until then.

Happy Monday.

J. Tubbs

From: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Sent: Friday, December 10, 2021 1:27 PM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Subject: RE: preliminary report

Hi (b) (6)

A good time to call is Monday, 12/13 between 7 and 11 EST. 301-594-2061.

Wolff, Axel (NIH/OD) [E]

From: Wolff, Axel (NIH/OD) [E]
Sent: Monday, April 11, 2022 1:05 PM
To: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: preliminary report

Follow Up Flag: Follow up
Flag Status: Flagged

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Sent: Friday, December 10, 2021 1:27 PM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Subject: RE: preliminary report

Hi (b) (6)

A good time to call is Monday, 12/13 between 7 and 11 EST. 301-594-2061.
Axel Wolff

From: (b) (6)
Sent: Friday, December 10, 2021 11:53 AM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Subject: [EXTERNAL] preliminary report

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and are confident the content is safe.

Good morning,

I need to make a preliminary report of noncompliance. Please let me know a good day and time to call for this report.

Thank you,

(b) (6)



March 31, 2022

Brent Morse, D.V.M.
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
6705 Rockledge Drive
RKL1, Suite 360, MSC 7982
Bethesda, Maryland 20892-7982
Assurance # A3255-01

Dear Dr. Morse:

Below is the description of unapproved deviations from the Guide for the Care and Use of Laboratory Animals and/or the PHS Policy identified and included in a preliminary report to OLAW on December 13, 2021. The incident of non-compliance was identified through post-approval laboratory audits. The corrective action is also described.

Aseptic technique

A lab member failed to remove the fur prior to a minor surgical procedure. All other aspects of aseptic surgery were followed and there were no adverse outcomes noted. This incident involved approximately 40 mice and work funded by NIH award R01NS102257. The lab member and investigator underwent retraining for appropriate surgical technique. This lab will receive additional oversight for surgical technique for the next 6 months.

If you require additional information or clarification, please do not hesitate to let me know.

Sincerely,

(b) (6)

Christopher S. Brown, Ph.D.
Institutional Official and Vice President for Research

cc: (b) (6)
Robert A. Kesterson, Ph.D., IACUC Chair

(b) (6)

Institutional Animal Care and Use Committee
403 Community Health
933 19th St S
205.934.7692
FAX 205.934.1188

Mailing Address:
403 CH19
1530 3RD AVE S
BIRMINGHAM AL 35294-2041

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Wednesday, April 6, 2022 7:19 AM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: final noncompliance report

Thank you for this report, (b) (6) We will send a response soon.
Axel Wolff

From: (b) (6)
Sent: Monday, April 4, 2022 9:59 AM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Subject: [EXTERNAL] final noncompliance report

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and are confident the content is safe.

Good morning,
Please find attached the final summary of noncompliance that was initially reported December 13. Please let me know if you have any questions.
Thank you,

(b) (6)