



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

March 7, 2022

Re: Animal Welfare Assurance
#A4107-01 (OLAW Case 2H)

Dr. Daniel T. Jaffe
Vice President for Research
University of Texas at Austin
P.O. Box 7996
Austin, TX 78713

Dear Dr. Jaffe,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your February 22, 2022 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of Texas at Austin following up on an initial January 11, 2022 notification by email.

According to the information provided, this Office understands that the University of Texas at Austin 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 four poison frogs received a reagent administration in December 2021. Three of the four frogs were found deceased and the cause of death was due to an unintentional error in volume measurement during reagent preparation. This error resulted in an overdose of ethanol in the animals. It stated the fourth frog was euthanized.

The veterinary staff was notified of the animal deaths and the Principal Investigator (PI) implemented the following corrective actions as preventative measures:

- Checklists will be used by lab personnel for reagent preparation.
- The reagents will be carefully monitored and checked by the Co-PI of the experiment to ensure volumes and dosages are correct.
- All lab members have met with the IACUC's Animal Research Quality Assurance representative as part of the University's Post-Approval Monitoring program to discuss protocol requirements and compliance.

It is noted that this research is supported by NSF funding. Based on its assessment of this explanation, OLAW understands that the University of Texas at Austin 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.

Page 2 – Dr. Jaffe
March 7, 2022
OLAW Case A4107-2H

Sincerely,

**Jacquelyn
T. Tubbs -S**

Digitally signed by:
Jacquelyn T. Tubbs -S
Date: 2022.03.07
13:57:52 -05'00'

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

CC: IACUC contact

**THE UNIVERSITY OF TEXAS AT AUSTIN**

Office of the Vice President for Research, Scholarship and Creative Endeavors

P.O. Box 7996 • FAC 426, G1400 • Austin, Texas 78713-7996 • 512-471-2877 • FAX 512-471-2827

February 22, 2022

Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
RKL 1, Suite 360, MSC 7982
6705 Rockledge Drive
Bethesda, MD 20892-7982

Subject: Report of Non-Compliance with PHS Policy on Humane Care and Use of Laboratory Animals and Subsequent Protocol Suspension

To Whom It May Concern:

The University of Texas at Austin (UT), Animal Welfare Assurance #A4107-01, submits this report in compliance with section IV.F.3 of the [PHS Policy on Humane Care and Use of Laboratory Animals](#) and with the published guidance document [NOT-OD-05-034](#) "Guidance on Prompt Reporting to OLAW under the PHS Policy on Humane Care and Use of Laboratory Animals." This letter is to report non-compliance in which the investigator failed to adhere to the IACUC-approved protocol. The initial report was made on January 11, 2022.

A cohort of four poison frogs underwent a reagent administration in December 2021 and three of the four frogs were found deceased. It was determined that the cause of death was due to an unintentional error in volume measurement during reagent preparation, which resulted in an overdose of ethanol. The fourth larger surviving frog in the cohort was euthanized.

The deaths were reported to veterinary staff and the Principal Investigator has implemented the following control measures to ensure that this event does not reoccur:

1. Checklists will be used by lab personnel for reagent preparation.
2. The reagents will be carefully monitored and checked by the Co-PI of the experiment to ensure volumes and dosages are correct
3. All lab members have met with the IACUC's Animal Research Quality Assurance representative as part of the University's Post-Approval Monitoring program to discuss protocol requirements and compliance.

The protocol this report pertains to is funded by NSF project number 1556967, entitled "*Collaborative Research: Phylogenetics of autoresistance in poison frogs as revealed by phylogenomics, neurophysiology, and comparative ecology*". The grant officer has been copied on this notification.

Please let us know if you have any additional questions or concerns at this time.

Director, Division of Compliance Oversight
February 22, 2022
Re: PHS Assurance Number A4107-01
Page 2

Sincerely,

DocuSigned by:
(b) (6)
AC239C3D38C44CA...

Daniel T. Jaffe, Ph.D.
Vice President for Research
University of Texas at Austin

DTJ:cim

cc: S. John Mihic, Chair, Institutional Animal Care and Use Committee
Glen Otto, Attending Veterinarian, Institutional Animal Care and Use Committee
(b) (6)

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Wednesday, February 23, 2022 10:45 AM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: Final report of protocol noncompliance- University of Texas at Austin, #A4107-01

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: Wednesday, February 23, 2022 10:08 AM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: IACUC <IACUC@austin.utexas.edu>; Jaffe, Dan <dtj@austin.utexas.edu>; Mihic, S J <mihic@austin.utexas.edu>; Otto, Glen <gotto@austin.utexas.edu>; (b) (6)
Subject: [EXTERNAL] Final report of protocol noncompliance- University of Texas at Austin, #A4107-01

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 OLAW,

On behalf of Dr. Daniel Jaffe, Vice President for Research at the University of Texas at Austin (Assurance #A4107-01), please find attached the final report involving noncompliance with NSF project number 1556967. The initial report was made January 11, 2022. Please let me know if you have any questions.

Thank you,

(b) (6)

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Wednesday, January 12, 2022 7:05 AM
To: IACUC
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: Preliminary report of noncompliance (UT Austin- Assurance #A4107-01)

Thank you for this preliminary report, (b) (6). We will start a new case file and look forward to receiving the final report from the IO after the IACUC has completed its investigation.

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

From: IACUC <IACUC@austin.utexas.edu>
Sent: Tuesday, January 11, 2022 4:14 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: IACUC <IACUC@austin.utexas.edu>; Jaffe, Dan <dtj@austin.utexas.edu>; (b) (6)
Subject: [EXTERNAL] Preliminary report of noncompliance (UT Austin- Assurance #A4107-01)

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 afternoon,

On behalf of Dr. Daniel Jaffe, Vice President for Research at the University of Texas at Austin, please accept this initial report of noncompliance for NSF project number 1556967 ("Collaborative Research: Phylogenetics of autoresistance in poison frogs as revealed by phylogenomics, neurophysiology, and comparative ecology"), under Assurance number A4107-01.

A cohort of four poison frogs underwent a reagent administration in December 2021 and three of the four frogs were found deceased. It was determined that the cause of death was due to an unintentional error in volume measurement during reagent preparation, which resulted in an overdose of ethanol. The fourth larger surviving frog in the cohort was euthanized.

The deaths were reported to veterinary staff and the Principal Investigator has implemented control measures to ensure that it does not reoccur.

As per NOT-OD-05-034, *failure to adhere to IACUC-approved protocols* is reportable to OLAW.

The IACUC will continue to review the matter. After finishing the review, a final report of its conclusions and actions will be submitted to the Office of Laboratory Animal Welfare. In the meantime, please let me know if you have any questions.

Thank you,

(b) (6)

