



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

October 19, 2021

Re: Animal Welfare Assurance
#A3354-01 (OLAW Case 1Y)

[REDACTED]
Executive Director of Regulatory Support
Institutional Official
State University of New York - University of Buffalo
[REDACTED]
Buffalo, NY 14260

Dear [REDACTED],

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your October 11, 2021 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at State University of New York - University of Buffalo following up on an initial September 1, 2021 notification by email.

According to the information provided, this Office understands that the University of Buffalo Animal Care and Use Committee (ACUC) determined that instances of noncompliance occurred with respect to: protocol suspension due to animal welfare concerns. The final report states the Principal Investigator (PI) has been working with the IACUC to address the ongoing animal welfare concern regarding the vertical sleeve gastrectomy (VSG) procedure. It is understood the protocol suspension was lifted on August 23, 2021 since the PI submitted an amendment removing an experiment which includes the VSG procedure. Per the report, the PI communicated with the IACUC and outlined their changes moving forward. The IACUC chair informed the PI of the committee's discussion and expectations regarding adding the VSG procedure back to the protocol. It is understood if the PI wishes to perform any VSG procedure in the future, they must submit an amendment adding the experiment back to the protocol with the following considerations:

- A very strong justification for why it is necessary for the VSG surgery to be conducted by protocol staff, instead of being purchased from an institution that has consistently executed the procedure with trained surgeons.
- A stronger training program for protocol staff that will be performing the VSG procedure.

It is noted that this research is supported by PHS funding. Based on its assessment of this explanation, OLAW understands that the State University of New York - University of Buffalo 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: 2021.10.19 14:08:08 -04'00'

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

cc: IACUC Contact

Obtained by Rise for Animals.
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