



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

June 1, 2021

Re: Animal Welfare Assurance
A3114-01 [OLAW Case 4N]

Dr. Rebecca Cunningham
Vice President for Research and
Institutional Official
University of Michigan
(b) (4) Victor Vaughan Building
1111 Catherine Street
Ann Arbor, MI 48109-2054

Dear Dr. Cunningham,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your May 25, 2021 letter reporting instances of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of Michigan. This letter had not been preceded by a preliminary report to OLAW.

According to the information provided, this Office understands that the University of Michigan Animal Care and Use Committee (ACUC) determined that instances of noncompliance occurred with respect to: failure to follow veterinary directives, the conduct of animal-related activities without prior IACUC review and approval, and the use of expired drugs for euthanasia.

The report states a lab technician delayed adhering to a veterinary request for euthanasia of a mouse. The principal investigator (PI) and lab technician attended the April 19, 2021 IACUC meeting to discuss the matter. In response to the incident, the IACUC required the following corrective actions:

- The PI was required to submit monthly reports to the IACUC for a period of six months. The reports were to include: 1) a summary of the animal activities that were conducted during the reporting period; the outcome of the activities; and 3) if applicable, a brief description of any unanticipated outcomes.
- The lab technician's privilege to perform animal activities was suspended, pending the completion of the following:
 - The PI and research technician were required to meet with the IACUC Chair, Attending Veterinarian, and Director of the Animal Care and Use Office to discuss the importance of adhering to veterinary orders.
 - The lab technician was required to develop, and present to the IACUC, a presentation on the ethical considerations applicable to animal research; the users' responsibility for ensuring animal welfare; and the reason for the IACUC protocol and subsequent adherence.

The second instance of noncompliance involved a PI discovered to be performing a procedure on a single zebrafish that was not approved by the IACUC. The incident was discussed by the IACUC and PI on April 19, 2021 and the PI was instructed to cease any activities that were not approved by the IACUC. The committee also required the following corrective actions:

- The PI must formally compare the ongoing laboratory activities with those approved in the protocol to confirm those activities were approved by the IACUC. The comparison must be provided to the IACUC in a formal report.
- The PI was required to provide to the IACUC a description of the training that would be provided to all research technicians to ensure they were familiar with the aspects and expectations of performing only those procedures outlined in the IACUC approved protocol.

The final incident involved a PI determined to be using expired sodium pentobarbital to euthanize ~53 mice. It is stated the expired drug was still effective and used for terminal activities. The incident was discussed by the IACUC on May 17, 2021 and the committee required the following corrective actions:

- During the quality assurance audit, controlled substance monitors discussed processes for, and the importance of, overseeing controlled pharmaceuticals. In addition, a communication plan was developed to ensure all lab technicians were familiar with the control processes.
- The IACUC formally notified the PI of the importance to maintain program compliance. The notice also offered additional resources through the quality assurance program for maintaining compliance.

It is understood that these projects are supported by PHS funds. Based on its assessment of this explanation, OLAW understands that the University of Michigan 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: 2021.06.01 12:45:30 -04'00'

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

cc: IACUC Contact



INSTITUTIONAL ANIMAL CARE & USE COMMITTEE

UNIVERSITY OF MICHIGAN

May 25, 2021

Brent C. Morse, DVM, DACLAM
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
RKL1, Suite 360, MSC 7982
6705 Rockledge Drive
Bethesda, MD 20892-7982

Dear Dr. Morse:

The University of Michigan, in accordance with Assurance D16-00072 and PHS Policy IV.F.3., provides this report of non-compliance. All of the below incidents occurred within a relatively short time span. The details of each incident are provided below:

Incident 1

A lab technician delayed adhering to a veterinary request to euthanize a mouse. The research is funded through NIH, but the funding used to support this activity was negligible. Accordingly, the NIH funding component was not notified of the situation.

1. This matter was brought to the attention of the IACUC on March 1, 2021. The PI and lab technician attended the April 19, 2021 IACUC meeting to discuss the concern. A final IACUC meeting, and resolution, occurred on May 10, 2021.
2. Based on the IACUC discussion, and to mitigate the potential for future reoccurrences, the IACUC required the following:
 - a. The PI was required to submit monthly reports to the IACUC for a period of six months. The reports were to include: 1) a summary of the animal activities that were conducted during the reporting period; 2) the outcome of the activities; and 3) if applicable, a brief description of any unanticipated outcomes.
 - b. The lab technician's privilege to perform animal activities was suspended, pending the completion of the following:
 - i. The PI and research technician were required to meet with the IACUC Chair, Attending Veterinarian, and Director of the Animal Care and Use Office to discuss the importance of adhering to veterinary orders; and
 - ii. The lab technician was required to develop, and present to the IACUC, a presentation on the ethical considerations applicable to animal research; the users' responsibility for ensuring animal welfare; and the reason for the IACUC protocol and subsequent adherence.

Incident 2

During semi-annual inspections, a PI was found performing a procedure (dark-adaption) on a single zebrafish that was not approved by the IACUC. The research is funded through NIH, but the funds used to support this activity were negligible. Accordingly, the NIH funding component was not notified of the situation.

1. This matter was discussed by the IACUC and the PI on April 19, 2021; the PI was required to discontinue any activities that were not approved by the IACUC.
2. Based on the IACUC discussion, and to mitigate the potential for future reoccurrences, the IACUC required the following:
 - a. The PI must formally compare the ongoing laboratory activities with those approved in the protocol to confirm those activities were approved by the IACUC. The comparison must be provided to the IACUC in a formal report.
 - b. The PI was required to provide to the IACUC a description of the training that would be provided to all research technicians to ensure they were familiar with the aspects and expectations of performing only those procedures outlined in the IACUC approved protocol.
3. The required information was provided to the IACUC in preparation for the May 10, 2021 meeting. Upon discussion, the IACUC agreed the concerns were resolved.

Incident 3

During a quality assurance audit, it was discovered that a PI used expired sodium pentobarbital to euthanize approximately 53 mice. The expired anesthetic was still effective and used for terminal activities; it had no impact on animal welfare. The research is funded through NIH, but the funds used to support this activity were negligible. Accordingly, the NIH funding component was not notified of the situation.

1. This matter was discussed by the IACUC on May 17, 2021.
2. Based on the IACUC discussion and to mitigate the potential for future reoccurrences, the IACUC required the following:
 - a. During the quality assurance audit, controlled substance monitors discussed processes for, and the importance of, overseeing controlled pharmaceuticals. In addition, a communication plan was developed to ensure all lab technicians were familiar with the control processes; and
 - b. The IACUC formally notified the PI of the importance to maintain program compliance. The notice also offered additional resources through the quality assurance program for maintaining compliance.

The IACUC determined that these were isolated incidents and not programmatic in nature. The corrective action plans and IACUC imposed sanctions, as detailed above, are also supplemented by the involvement of the Animal Care and Use Office's PI Advocacy and Quality Assurance team members, who provide additional guidance, education, and oversight of the labs animal activities to facilitate compliance. Collectively, these approaches have resolved the root causes of the non-compliances and strengthened the relationships between the PIs, animal users, veterinary and husbandry staff, and the compliance office staff.

The University of Michigan is committed to protecting the welfare of animals used in research and appreciates the guidance and assistance provided by OLAW in this regard. Should you have any questions regarding this report, please contact William G. Greer (wggreer@med.umich.edu).

Sincerely,

(b) (6)

Rebecca Cunningham, IO and Vice President for Research

(b) (6)

William Greer, Assistant Vice President for Research, and
Director of the Animal Care and Use Office

Cc: AAALAC International
IACUC Chair
Attending Veterinarian

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Wednesday, May 26, 2021 8:33 AM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: Report for D16-00072

Thank you for this report, (b) (6) We will respond soon.

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

From: (b) (6)
Sent: Wednesday, May 26, 2021 8:32 AM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>; Morse, Brent (NIH/OD) [E] <morseb@mail.nih.gov>
Cc: Greer, Bill <>wggreer@med.umich.edu>; accredit@aaalac.org; (b) (6)
(b) (6)
Subject: Report for D16-00072
Importance: High

Dear Dr. Morse,

Attached please find a report from The University of Michigan's IACUC, assurance # D16-00072.

Please let me know if you have any problems accessing the attachment.

Thank you,

(b) (6)

