



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

February 20, 2020

Re: Animal Welfare Assurance
#A3908-01 (OLAW Case K)

Dr. David Faguy
Assistant Vice President for Research Compliance
Northern Arizona University
P.O. Box 4137
Flagstaff, AZ 86011-4137

Dear Dr. Faguy,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of a February 13, 2020 email from your IACUC Chair reporting an incident of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at Northern Arizona University. According to the information provided, OLAW understands that on February 5, 2020 your IACUC received a report that there were dead goldfish in plastic bottles in one of the introductory biology laboratories. The IACUC chair went to the laboratory and found over 100 containers made of plastic soda bottles that contained both a terrestrial and aquatic "closed ecosystem" that students had put together and were monitoring. The "aquatic" ecosystem included plants, gravel and one goldfish. Most of the fish were dead. The chair immediately contacted the instructor and requested that:

- 1) the lab exercise be stopped and all living goldfish be removed from the bottles and placed in two 10 gallon aquaria with gravel bottom, live plants and an aerator,
- 2) the number and condition of all fish be recorded and a cage card be placed on the tanks,
- 3) a regular schedule of daily feeding and monitoring be started with written records taped on the tanks with the date of each check/feeding and the initials of those doing the checks.

The fish were held in these aquaria until an appropriate disposition of the fish could be determined. On 11 February, all remaining fish had been adopted out according to NAU IACUC policy on animal adoption.

Actions taken to prevent future incidents included:

- 1) The IACUC chair met with the instructor to discuss IACUC policies and the instructor decided to delete this exercise from future labs.
- 2) The IACUC chair sent a message to all laboratory instructors reiterating that no classroom exercises using vertebrate animals can occur without prior approval by the NAU IACUC.

OLAW believes that the corrective and preventative measures put in place by Northern Arizona University are consistent with the provisions of the PHS Policy on Humane Care and Use of Laboratory Animals. Although not stated, it is expected that this animal activity was not funded by the PHS or NSF. The application of the standards of the PHS Policy across the animal care and use program reduces any potential appearance of a double standard. Please be sure that future reports of noncompliance come from you as the Institutional Official. We appreciate being informed of this issue and find no cause for further action by this office.

Sincerely,

(b) (6)

Brent C. Morse, DVM
Director
Division of Compliance Oversight
Office of Laboratory Animal Welfare

cc: IACUC contact

Morse, Brent (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Friday, February 14, 2020 7:10 AM
To: Tad Theimer; OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: Report of noncompliance

Thank you for this report Dr. Theimer. We will send an official response soon.

Best regards, Brent Morse

Brent C. Morse, DVM, DACLAM
Director
Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health

Please note that this message and any of its attachments are intended for the named recipient(s) only and may contain confidential, protected or privileged information that should not be distributed to unauthorized individuals. If you have received this message in error, please contact the sender.

From: Tad Theimer <Tad.Theimer@nau.edu>
Sent: Thursday, February 13, 2020 4:30 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Subject: Report of noncompliance

Director, Division of Compliance Oversight

Office of Laboratory Animal Welfare

National Institutes of Health

Rockledge 1, Suite 360

6705 Rockledge Drive

Bethesda, MD 20892

Dear Dr. Morse,

Northern Arizona University, in accordance with Assurance A0101-01 and PHS Policy IV.F.3., provides this report of noncompliance regarding an incident in which live vertebrates were purchased and subsequently used in a classroom lab exercise that was not covered by an NAU IACUC protocol.

On 5 February 2020, the NAU IACUC received reports that there were dead goldfish in plastic bottles in one of the introductory biology laboratories. The IACUC chair went to the laboratory and found over 100 containers made of plastic soda bottles that contained both a terrestrial and aquatic "closed ecosystem" that students had put together and were monitoring. The "aquatic" ecosystem included plants, gravel and one goldfish. Most of the fish were dead. The chair immediately contacted the instructor and requested that:

- 1) the lab exercise be stopped and all living goldfish be removed from the bottles and placed in two 10 gallon aquaria with gravel bottom, live plants and an aerator,
- 2) the number and condition of all fish be recorded and a cage card be placed on the tanks,
- 3) a regular schedule of daily feeding and monitoring be started with written records taped on the tanks with the date of each check/feeding and the initials of those doing the checks.

The fish were held in these aquaria until an appropriate disposition of the fish could be determined. On 11 February, all remaining fish had been adopted out according to NAU IACUC policy on animal adoption.

The instructor (a plant ecologist teaching introductory biology for the first time at NAU) had no previous experience using vertebrates at the university and thus was unaware of the requirements for IACUC review.

Actions taken to prevent future incidents included:

- 1) The IACUC chair met with the instructor to discuss IACUC policies and the instructor decided to delete this exercise from future labs.
- 2) The IACUC chair sent a message to all laboratory instructors reiterating that no classroom exercises using vertebrate animals can occur without prior approval by the NAU IACUC.

Northern Arizona University 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 Tad Theimer, PhD, IACUC Chair.

Sincerely,

Tad Theimer