



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

January 4, 2023

Re: Animal Welfare Assurance  
A3368-01 [OLAW Case 12L]

MEMORANDUM FOR RECORD

The Office of Laboratory Animal Welfare (OLAW) has determined the following regarding the incidents and allegations referenced in the December 8, 2022 letter from Dr. Alka Chandna of People for the Ethical Treatment of Animals (PETA). Regarding the 8 November 2022 USDA inspection report concerning two incidents involving nonhuman primates at the University of Wisconsin - Madison, the first incident was properly self-reported by the institution and the corrective measures accepted by OLAW. The second incident was not funded by the PHS and OLAW will therefore not initiate an investigation. This case is thereby administratively closed as of this date.

Signed,

(b) (6)

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



December 8, 2022

Brent C. Morse, D.V.M.  
Director  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health

Via e-mail: [MorseB@mail.nih.gov](mailto:MorseB@mail.nih.gov)

Dear Dr. Morse:

We believe that the federal Animal Welfare Act violations documented in the attached U.S. Department of Agriculture inspection report of University of Wisconsin-Madison constitute violations of the Public Health Service Policy on Humane Care and Use of Laboratory Animals (PHS Policy). Last year, UW-Madison received more than \$367 million from the National Institutes of Health (NIH), and according to NIH, an estimated 47% of those funds supported projects that involved experiments on animals.

In 1985, members of Congress from both sides of the aisle worked together to strengthen protections for animals in laboratories in order to address deep-seated ethical concerns held by the American public regarding the use of animals in experiments. Polling by the Pew Research Center found that more than 50% of U.S. adults oppose the use of animals in experiments, and other surveys suggest that the support of the shrinking group that continues to accept animal experimentation is contingent on the existence and enforcement of stringent regulations aimed at protecting animals.

As you know, institutions that receive funding from Public Health Service agencies—including NIH—are required to comply with PHS Policy. Failure to comply violates not only federal animal welfare guidelines and policies but also public expectations that facilities receiving tax dollars to use animals—who are capable of experiencing pain, distress, love, and companionship and value their lives just as we value ours—at the very least, comply with minimal standards aimed at ensuring some modicum of animal welfare.

We ask that your office investigate the incidents outlined in the attached report.

Thank you for your time and consideration.

Sincerely,

(b) (6)

PEOPLE FOR  
THE ETHICAL  
TREATMENT  
OF ANIMALS

Washington  
1536 16th St. N.W.  
Washington, DC 20036  
202-483-PETA

Los Angeles  
2154 W. Sunset Blvd.  
Los Angeles, CA 90026  
323-644-PETA

Norfolk  
501 Front St.  
Norfolk, VA 23510  
757-622-PETA

[Info@peta.org](mailto:Info@peta.org)  
[PETA.org](http://PETA.org)

Entities:

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)



United States Department of Agriculture  
Animal and Plant Health Inspection Service

(b) (6)  
INS-0000825579

## Inspection Report

UNIVERSITY OF WISCONSIN MADISON  
DIRECTOR RESEARCH ANIMAL RESOURCES CENTER  
1710 UNIVERSITY AVENUE 396 ENZYME INST  
MADISON, WI 53726

Customer ID: **616**  
Certificate: **35-R-0001**  
Site: 001  
ALL CAMPUS SITES

Type: FOCUSED INSPECTION  
Date: 08-NOV-2022

**2.38(f)(1) Critical Repeat**

**Miscellaneous.**

An incident of incorrect use of a transport box with a non-human primate (NHP) on 4/30/22 allowed it to get loose in the room and seriously injure the tongue of another NHP. Incorrect handling can allow animals to get injured. Ensure that animals are handled as carefully as possible in a manner that protects their health and wellbeing.

Note: The facility identified this incident and reported it to the ACUC and OLAW. The affected animals in the incident were appropriately evaluated and treated by veterinary staff.

**3.80(a)(2)(iii) Critical**

**Primary enclosures.**

On 6/15/22, two NHPs were found to have gotten out of their enclosure likely due to being able to force an enclosure door open. While they were out in the room, injury was caused to the tongue of another NHP that required sutures and veterinary care. The two NHPs that got out had minor injuries and were returned to their enclosure and the door was secured better. Enclosures that allow NHPs to get out can allow injury to NHPs within the same room. Ensure that enclosures contain the animals securely.

Prepared By:

Title:

(b) (6)  
Date:  
10-NOV-2022

Received by Title: Facility Representative

Date:  
10-NOV-2022



United States Department of Agriculture  
Animal and Plant Health Inspection Service

(b) (6)

INS-0000825579

### Inspection Report

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Note: The facility identified this incident and reported it to the ACUC. The affected animals in the incident were appropriately evaluated and treated by veterinary staff.

Correction: Ensure corrective actions are maintained and followed.

This inspection and exit interview were conducted with facility representatives.

Additional Inspectors:

(b) (6)

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Prepared By:

(b) (6)

Date:  
10-NOV-2022

Title:

Received by Title: Facility Representative

Date:  
10-NOV-2022



United States Department of Agriculture  
Animal and Plant Health Inspection Service

Customer: 616  
Inspection Date: 08-Nov-2022

### Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
616	35-R-0001	001	ALL CAMPUS SITES	08-NOV-2022

Count	Scientific Name	Common Name
000068	<i>Macaca fascicularis</i>	CRAB-EATING MACAQUE / CYNOMOLGUS MONKEY
000064	<i>Macaca mulatta</i>	RHESUS MACAQUE
000076	<i>Callithrix jacchus</i>	COMMON MARMOSET
000208	<b>Total</b>	

## McCoy, Devora (NIH/OD) [E]

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**From:** Morse, Brent (NIH/OD) [E]  
**Sent:** Wednesday, December 14, 2022 1:19 PM  
**To:** McCoy, Devora (NIH/OD) [E]  
**Subject:** FW: Concerns from PETA re treatment of animals in UW-Madison's laboratories:  
**Attachments:** 2022-12-08-complaint-to-olaw-re-uw-madison.pdf; 2022-11-08-uw-madison-ir-monkey-escapes-injuries.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Devora,

Please use this email and attached files to open a case and assign it to me. Thanks.

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

**From:** Morse, Brent (NIH/OD) [E]  
**Sent:** Wednesday, December 14, 2022 1:16 PM  
**To:** (b) (6)  
**Subject:** RE: Concerns from PETA re treatment of animals in UW-Madison's laboratories:

(b) (6)

This is to acknowledge receipt of your email and two attachments. OLAW will review the provided material and determine any actions required under the PHS Policy.

Sincerely, Brent Morse

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

**From:** (b) (6)  
**Sent:** Thursday, December 8, 2022 11:10 AM  
**To:** Morse, Brent (NIH/OD) [E] <morseb@mail.nih.gov>  
**Subject:** [EXTERNAL] Concerns from PETA re treatment of animals in UW-Madison's laboratories:

Dear Dr. Morse,

Kindly find attached a complaint from PETA regarding treatment of animals at the University of Wisconsin-Madison, as documented in a recent U.S. Department of Agriculture inspection report. As noted in the attached, we believe the critical violations documented in the report also constitute noncompliance with the Public Health Service Policy on Humane Care and Use of Laboratory Animals.

Thank you for your time and consideration.

Sincerely,

(b) (6)



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.