



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

December 16, 2022

Re: Animal Welfare Assurance  
A3459-01 [OLAW Case T]

Dr. Rick Bevins  
Interim Associate Vice Chancellor for Research  
University of Nebraska - Lincoln  
(b) (4) Canfield Administration Building  
Lincoln, NE 68588

Dear Dr. Bevins,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your December 13, 2022 letter reporting a serious deviation from the provisions of the *Guide for the Care and Use of Laboratory Animals* at the University of Nebraska, following up on an initial telephone report on November 22, 2022. According to the information provided, OLAW understands that five mice died due to lack of food. The mice had been received from a vendor and were undergoing acclimation, but food had not been provided and the matter was not noticed during the daily health check.

The corrective actions consisted of developing a standard operating procedure addressing husbandry practices and retraining all animal care staff on it.

Based on its assessment of this explanation, OLAW understands that measures have been implemented to correct and prevent recurrence of this problem. OLAW concurs with the actions taken by the institution to comply with the PHS Policy on Humane Care and Use of Laboratory Animals.

Sincerely,

(b) (6)

Axel Wolff, M.S., D.V.M.  
Deputy Director  
Office of Laboratory Animal Welfare

cc: IACUC Chair

A3459-T



Office of Research and Economic Development  
University of Nebraska  
Institutional Animal Care Program

13 December 2022

Dear Dr. Wolfe,

I am submitting this report in accordance with the requirements of the PHS Policy at IV.F.3. The IACUC has reviewed the incident described in the report and categorized it as serious and, therefore, reportable to OLAW.

1. Name of institution: University of Nebraska-Lincoln
2. Assurance Number: D-16-00289
3. Reporting requirement: serious deviation from provisions of the *Guide for Care and Use of Laboratory Animals, 8<sup>th</sup> Ed.*
4. Preliminary report: A preliminary report was made by the Attending Veterinarian via telephone to Dr. Axel Wolfe on 22 November 2022.
5. Grant or Contract Number: 5 R01 AI147109-04
6. Explanation of incident:

On November 7, 2022, a shipment of purpose bred laboratory mice were received at the animal facility. Animal care staff placed the mice in standard housing conditions. On November 14, 2022, one cage of five mice was discovered deceased by animal care staff. No feed was present in the cage. A staff veterinarian examined the remains with findings to be consistent with lack of food.

The mice were still in acclimation, and no study procedures had yet been conducted between arrival and death.

7. Corrective actions:

The animal care staff involved were contacted and interviewed by facility management on November 14, 2022 upon discovery of the deceased mice.

8. Impact on PHS-supported activities:

The deceased animals were not able to be used in the PHS-supported activity.

9. Compliance with terms and conditions:

The incident occurred during the acclimation period, prior to any study procedures. Neither the PI nor any member of the lab was involved with this incident.

10. Plan and schedule for correction and prevention:



A detailed standard operating procedure was established and all animal care staff have been trained on it (30 November 2022). The IACUC reviewed the incident and the remediation actions were accepted by the IACUC at its December 13, 2022 meeting.

If you have any questions or require any further information, please do not hesitate to contact me.

Sincerely,

(b) (6)

Rick Bevins PHD  
Institutional Official  
Interim Associate Vice Chancellor for Research

cc:  
Attending Veterinarian  
IACUC Chair

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

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Wednesday, December 14, 2022 12:47 PM  
**To:** Kelly Heath  
**Cc:** OLAW Division of Compliance Oversight (NIH/OD)  
**Subject:** RE: Final Report of non-compliance D-16-00289

Good afternoon Dr. Heath,

Thank you for sending us this final report and we will send an official response soon.

Best,  
Devora

Devora McCoy, BS, MBA  
Program Analyst  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
301-435-2390

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**From:** Kelly Heath <kheath3@unl.edu>  
**Sent:** Wednesday, December 14, 2022 9:56 AM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Cc:** Rick Bevens <rbevins1@unl.edu>; (b) (6) Downing, Winston (NIH/NIAID) [E] <winston.downing@nih.gov>; Gordon, Jennifer (NIH/NIAID) [E] <jennifer.gordon2@nih.gov>  
**Subject:** [EXTERNAL] Final Report of non-compliance D-16-00289

Dear Dr. Wolfe

Please find attached our final report of non-compliance. Please let us know if you have any questions.

Kind Regards,

*Kelly*



**Kelly D Heath DVM**

*Director - Institutional Animal Care Program*

Attending Veterinarian

University of Nebraska—Lincoln

Research Resp-Inst Animal Care Prog

(b) (4) Mussehl Hall POB 0720

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Lincoln, NE 68583-0720

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kheath3@unl.edu

(b) (6)



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A3459-T



## Initial Report of Noncompliance

By: (b) (6)

Date: 11/22/22

Time: 1100

Name of Person reporting: Dr Kelly Heath AV  
Telephone #: (b) (6)  
Fax #:  
Email:

Name of Institution: Univ Nebraska-Lincoln  
Assurance number: A3459

Did incident involve PHS funded activity? yes  
Funding component: \_\_\_\_\_  
Was funding component contacted (if necessary): \_\_\_\_\_

What happened?

Mice held for acclimation, cage not no food +  
5 mice died

Species involved: Mice

Personnel involved:

Dates and times:

Animal deaths: 5

Projected plan and schedule for correction/prevention (if known): \_\_\_\_\_

Re-do SOP per cage check,  
retrain staff

Projected submission to OLAW of final report from Institutional Official:

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Case # \_\_\_\_\_