



Colorado State University  
203 Administration Building  
2001 Campus Delivery  
Fort Collins, CO 80523

### **CITATION AND NOTIFICATION OF PENALTY**

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

#### **Date of Alleged Violation: Between January and April 2019**

**9 C.F.R. § 2.131(b)(1)** Handling of animals. Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

You failed to protect animals carefully to avoid physical harm or unnecessary discomfort.

During an inspection conducted on January 28, 2020, APHIS officials reviewed the Institutional Animal Care and Use Committee (IACUC) meeting minutes, dated April 23, 2019, that detailed an incident where three bats were discovered dead inside a folded shade cloth.

#### **Date of Alleged Violation: Between October 17, 2020 and November 23, 2020**

**9 C.F.R. § 3.127(d)** Facilities, outdoor. Perimeter fence. On or after May 17, 2000, all outdoor housing facilities (i.e., facilities not entirely indoors) must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high for potentially dangerous animals, such as, but not limited to, large felines (e.g., lions, tigers, leopards, cougars, etc.), bears, wolves, rhinoceros, and elephants, or less than 6 feet high for other animals must be approved in writing by the Administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so that it can function as a secondary containment system for the animals in the facility. It must be of sufficient distance from the outside of the primary enclosure to prevent physical contact between animals inside the enclosure and animals or persons outside the perimeter fence. Such fences less than 3 feet in distance from the primary enclosure must be approved in writing by the Administrator.

An Equal Opportunity Provider and Employer

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You failed to construct and maintain a perimeter fence of adequate height.

During the inspection conducted on December 14, 2020, APHIS officials reviewed the IACUC meeting minutes from October 27, 2022, specifically the “attending veterinarian report” that reported that four sheep on two separate protocols were predated and killed. On October 17, 2020, October 19, 2020, October 25, 2020, November 6, 2020, November 14, 2020, November 21, 2020 and November 23, 2020, in areas where the perimeter fence failed to restrict animals from entering the facility, a predatory animal entered the sheep enclosures and killed the animals.

**Date of Alleged Violation: November 16, 2021**

**9 C.F.R. § 3.131(a)** Sanitation. Cleaning of enclosures. Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained therein and to minimize disease hazards and to reduce odors. When enclosures are cleaned by hosing or flushing, adequate measures shall be taken to protect the animals confined in such enclosures from being directly sprayed with the stream of water or wetted involuntarily.

You failed to remove excreta from primary enclosures as necessary to minimize disease hazards and to reduce odors. APHIS officials observed an accumulation of feces and deteriorating hay in the following areas:

- 1) Veterinary teaching horse shelter structure,
- 2) Veterinary teaching cow shelter structure,
- 3) Veterinary teaching sheep pen,
- 4) Veterinary teaching barn pasture,
- 5) ARBL sheep pen,
- 6) Middle stallion pen, and,
- 7) Veterinary teaching mare pasture

**Date of Alleged Violation: February 15, 2022**

**9 C.F.R. § 2.33(b)(3)** Attending veterinarian and adequate veterinary care. Each research facility shall establish and maintain programs of adequate veterinary care that include daily observations of all animals to assess their health and well-being; Provided, however, that daily observation of animals may be accomplished by someone other than the attending veterinarian; and provided, further, that a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian.



You failed to provide and maintain daily observations of all animals to assess their health and well-being.

APHIS officials observed a dead bat in the fold of a roosting tarp that was readily visible without having to move the tarp.

**Date of Alleged Violation: February 15, 2022**

**9 C.F.R. § 3.131(a)** Sanitation. Cleaning of enclosures. Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained therein and to minimize disease hazards and to reduce odors. When enclosures are cleaned by hosing or flushing, adequate measures shall be taken to protect the animals confined in such enclosures from being directly sprayed with the stream of water or wetted involuntarily.

You failed to remove excreta from primary enclosures as necessary to minimize disease hazards and to reduce odors. APHIS officials observed an accumulation of feces and deteriorating hay in the following areas:

- 1) Veterinary teaching horse enclosure,
- 2) Veterinary teaching sheep pen,
- 3) Veterinary teaching sheep barn pasture,
- 4) Both ARBL sheep pens, and,
- 6) Veterinary teaching mare pasture at the Equine Repro Lab.

The penalty for the alleged violation(s) described above is \$5,800.