



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

Office of Laboratory Animal Welfare
Rockledge One, Suite 360
6705 Rockledge Drive – MSC 7982
Bethesda, Maryland 20892-7982
Home Page: <http://grants.nih.gov/grants/olaw/olaw.htm>

FOR EXPRESS MAIL:

Office of Laboratory Animal Welfare
Rockledge One, Suite 360
6705 Rockledge Drive
Bethesda, Maryland 20817
Telephone: (301) 496-7163
Facsimile: (301) 402-7065

August 8, 2017

Re: Animal Welfare Assurance
#A3125-01 (OLAW Case R]

Dr. Maria T. Zuber
Vice President for Research
Massachusetts Institute of Technology
77 Massachusetts Ave., Building 30234
Cambridge, Massachusetts 02139

Dear Dr. Zuber

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your July 28, 2017 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the Massachusetts Institute of Technology, following up on an initial telephone report on June 22, 2017. According to the information provided, OLAW understands that eight mice were maintained in a cold room for one month although this time period was not approved in the protocol. The body temperatures of the mice were not monitored as required, there was no veterinary or husbandry oversight, and light cycles were not standardized. None of the mice died.

The corrective action consisted of informing the Principal Investigator who removed the investigator responsible from the protocol and deleted the cold exposure experiments from the protocol. The data will not be used and the NIH grant was not charged for any unauthorized animal activities.

Based on the information provided, OLAW is satisfied that appropriate actions have been taken to investigate, correct, and prevent recurrence of the noncompliance. We appreciate having been informed about this matter and find no cause for further action by this Office.

Sincerely,

Axel Wolff, M.S., D.V.M.

Director

Division of Compliance Oversight

cc: IACUC Chair



MIT BUILDING
16-408

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Axel Wolff, DVM
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
Rockledge 1, Suite 360
6705 Rockledge Drive
Bethesda, MD 20892

Date: 07/28/17

From: Dr. Maria T. Zuber, Institutional Official, Vice President for Research at MIT

cc: **Secondary Individual** Director of the Whitehead Institute
Secondary Individual Professor and Director of the Division of Comparative
Medicine
Dr. Mark T Whary, Associate Director of DCM / Attending Veterinarian and
CAC Veterinarian
Dr. Barbara O'Pray, Chair of Committee on Animal Care (CAC)
Secondary Individual Cambridge Dept. of Public Health
AAALAC, International

Re: Protocol noncompliance under PHS Assurance **A3125-01**

Dr. Whary from the Division of Comparative Medicine (DCM) made a preliminary report concerning this protocol noncompliance to Dr. Wolfe on Thursday 06/22/2017. The incident was investigated by the CAC Chair, the AV, and the DCM Director. The CAC discussed this issue at a convened meeting on 07/13/17 and endorsed corrective actions (below). The experimental use of the affected mice was supported by NIH funding under NIGMS K08GM102718 which ended 8/30/2016 and NIDDK R01DKO47618 that ended 4/30/2017. Any unauthorized costs initially paid from the grant are being removed and covered by other sources.

On Tuesday 6/20/17, an investigator self-reported to Dr. Whary a protocol noncompliance under PI Lodish 0115-009-18 which focused on brown fat metabolism. The CAC had previously approved cold exposure (4°C) experiments lasting for up to 7 days, with a requirement for satisfactory maintenance of body core temperature (30°C minimum by rectal thermometer) as well as standard humane endpoints. Protocol approval indicated that cold exposure was to be conducted exclusively in a DCM animal facility cold room that was dedicated to this purpose and was centrally located for

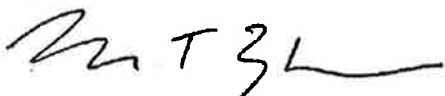
veterinary oversight. Experiments were conducted correctly by the Lodish lab 4 times in 2015 and once in 2016 with cold exposure lasting 6 to 24 hours without morbidity.

The protocol noncompliance was a month-long cold exposure between 11/9/16 to 12/7/16 in the Lodish lab cold room in the Whitehead Institute. This experiment was done on 6 week old AdipoqCre Syk flox/flox (n=5) and Syk flox/flox mice (n=3). The investigator monitored the mice daily but did not monitor core temperature. She readily admitted that this was a deliberate effort to circumvent the protocol conditions approved by the CAC. Although there was no morbidity, these mice did not have veterinary and husbandry oversight nor standardization of the macroenvironment such as light / dark cycles. Clearly, a major issue was the clear conflict with the MIT PHS Assurance statement on animal care.

The CAC Chair, the AV, and the DCM Director met with Dr. Lodish and the investigator on July 10. Dr. Lodish had no knowledge of this experiment and agreed it was a protocol noncompliance. Subsequent to being informed about the incident, Dr. Lodish removed the investigator from his animal protocol and at the meeting, removed the cold exposure experiments from his protocol. The CAC discussed these actions on July 13 at a convened meeting and agreed the noncompliance was serious, but resolved. The CAC additionally required that data are not to be published, presented or used in a grant application.

We trust that OLAW will find our response to this protocol noncompliance adequate. Please inform me or ndary Indiv Whary or O'Pray (CAC Chair) if you need further clarification.

Regards.

A handwritten signature in black ink, appearing to read 'MTZL', with a long horizontal line extending to the right.

Maria T. Zuber

Morse, Brent (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Monday, July 31, 2017 11:56 AM
To: Secondary Individual; OLAW Division of Compliance Oversight (NIH/OD)
Cc: Maria Zuber; Secondary Individual; Mark T Whary; ary In@med.mit.edu
Subject: RE: Noncompliance under PHS Policy under Assurance A3125-01

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

Regards, Brent Morse

Brent C. Morse, DVM, DACLAM
Animal Welfare Program Specialist
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: Secondary Individual [mailto:Secondary Individual@mit.edu]
Sent: Monday, July 31, 2017 11:49 AM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: Maria Zuber <zuber@mit.edu>; Secondary Individual @mit.edu; Secondary Individual@mit.edu; Mark T Whary <mwhary@mit.edu>; ary In@med.mit.edu; accredit@aaalac.org; [redacted]
Subject: Noncompliance under PHS Policy under Assurance A3125-01

To Whom it May Concern,

Please find attached a letter signed by our IO, Dr. Maria T Zuber, regarding an incident which occurred at MIT (A3125-01) on 6/20/17, as preliminarily reported to OLAW by Dr. Mark Whary on 6/22/17.

Thanks,

Secondary Individual

Program Manager
MIT Committee on Animal Care
Bldg. Room #
Phone Number



Initial Report of Noncompliance

By: *aw*

Date: *6/22/17*

Time: *PM*

Name of Person reporting: *Mark Wherry*

Telephone #:

Phone Number

Fax #:

Email:

Name of Institution: *MIT*

Assurance number: *A3125*

Did incident involve PHS funded activity?

Funding component:

Was funding component contacted (if necessary):

What happened?

Mice kept in cold room for 1 month without approval

Species involved: *Mice*

Personnel involved:

Dates and times:

Animal deaths:

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

Projected submission to OLAW of final report from Institutional Official:

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Case #