



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) 402-7065

November 5, 2019

Re: Animal Welfare Assurance
#A3262-01 (OLAW Case 3Q)

Dr. S. David Kimball
Institutional Official
Senior Vice President,
Research & Economic Development
Rutgers, State University of New Jersey
3 Rutgers Plaza
New Brunswick, NJ 08901

Dear Dr. Kimball,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your October 18, 2019 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at Rutgers University. Your letter supplements the information in the initial report by phone on June 20, 2019. According to the information provided, OLAW understands that on June 6, 2019 a lab member, who had not received rabies prophylaxis, was bitten by a bat during field collection. The individual was not instructed to handle bats but deviated from the assigned non-contact role. The bat was not retained for rabies testing, which was also a deviation from the SOP. It was stated that this animal activity was not supported by PHS funds.

Corrective and preventive actions included the lab member being seen by the Occupational Health Department for medical consultation and treatment as needed. The protocol and the lab SOP were amended to clearly state that a bat that has bitten anyone must remain in captivity for testing, as well as additional details on euthanasia of such animals, clear lines of authority and roles and responsibilities. A signature log was implemented to ensure that all lab members have read the revised SOP. A "tailgate talk", which occurs at the beginning of each field collection event outlining the risks as well as identifying the roles of each lab member, has been implemented. The PI was also counseled.

The consideration of this matter by Rutgers University was consistent with the philosophy of institutional self-regulation. Similarly, the actions taken to resolve the issue and prevent reoccurrence were appropriate. We appreciate being informed of this matter 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

October 18, 2019

Brent Morse, DVM
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
Rockledge 1, Suite 360, MSC 7982
6705 Rockledge Drive
Bethesda, MD 20892-7982

Re: Animal Welfare Assurance Number D16-00169 (A3262-01)

Dear Dr. Morse,

Rutgers, The State University of New Jersey hereby makes the final report for the following incident, reported to OLAW via telephone on June 20, 2019.

On June 6, 2019, a lab member who had not received rabies prophylaxis was bitten by a bat during field collection. This lab member had not been instructed to handle bats during field collection but deviated from their assigned non-contact role without instruction to do so and picked up a holding bag containing a bat and was bitten. The bat was not retained for rabies testing which was a deviation from the standard operating procedure (SOP).

The following actions were taken in response to this incident:

- The lab member was seen by the Occupational Health Department for medical consultation and treatment, as needed.
- The PI was counseled by the IACUC Executive Committee as well as Comparative Medicine Resources (CMR) veterinary staff.
- The protocol and the lab SOP for bat collection were amended to clearly state that a bat that has bitten anyone must remain in captivity for testing, as well as additional details on euthanasia of such animals, clear lines of authority and roles and responsibilities.
- A signature log to ensure that all lab members have read the revised SOP that was implemented.
- A "tailgate talk" which occurs at the beginning of each field collection event, outlining the risks, as well as identifying the roles of each lab member, has been implemented.
- At its regular meeting on June 19, 2019, the IACUC reviewed and discussed this incident and unanimously voted to report this matter to OLAW. The IACUC also voted to accept the above noted corrective actions.

This research is not funded by PHS.

Please contact me with any questions.

Sincerely,

(b) (6)

S. David Kimball, Ph.D.
Institutional Official
Senior Vice President, Research & Economic Development
Vice President, Innovation & Research Commercialization

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Friday, November 1, 2019 7:17 AM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: final reports for Rutgers Assurance D16-00169 (A3262-01)

Thank you for these reports, (b) (6) Dr. Morse will send responses soon.

Axel Wolff, M.S., D.V.M.
Deputy Director, OLAW

From: (b) (6)
Sent: Thursday, October 31, 2019 2:56 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: (b) (6)
Subject: final reports for Rutgers Assurance D16-00169 (A3262-01)

Division of Compliance Oversight,

Attached are six final reports for reportable events under Assurance # D16-00169 (A3262-01).

Please let us know if you have any questions.

Thank you,
(b) (6)

(b) (6)



Morse, Brent (NIH/OD) [E]

From: Morse, Brent (NIH/OD) [E]
Sent: Thursday, October 17, 2019 8:31 AM
To: (b) (6)
Subject: RE: OLAW open compliance cases

Thank you (b) (6) We will await the A3262 cases.

Sincerely, Brent Morse

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

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From: (b) (6)
Sent: Wednesday, October 16, 2019 4:55 PM
To: Morse, Brent (NIH/OD) [E] <morseb@mail.nih.gov>
Subject: RE: OLAW open compliance cases

Dear Dr. Morse,

Thank you for the follow up email on the open cases under both Assurances. We apologize for the delay. The final reports for the cases under Assurance # A3158 have now been sent to the Division of Compliance Oversight email address. The final reports for the cases under Assurance # A3262 will be forthcoming soon.

Please note that I have removed (b) (6) as he is no longer in an IACUC related role at the university.

Thanks,
(b) (6)

(b) (6)



From: Morse, Brent (NIH/OD) [E] <morseb@mail.nih.gov>
Sent: Wednesday, October 16, 2019 1:48 PM

To: [REDACTED] (b) (6)

Subject: OLAW open compliance cases

Importance: High

Dear [REDACTED] (b) (6)

OLAW has six open cases under Assurance # A3262 and six more open cases under Assurance # A3158. These cases date back to April 2019 thru June 2019. Please submit either final reports, interim reports, or justification for further delay. We want to work with you to finalize these but we also need to show diligence and timeliness in our follow-up. Thank you.

Best regards, Brent Morse

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

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Initial Report of Noncompliance

By: egm

Date: 6/20/19

Time: 10:45
(b) (6)

Name of Person reporting: (b) (6)

Telephone #: (b) (6)

Fax #: (b) (6)

Email: (b) (6)

Name of Institution: Rutgers Univ. - New Brunswick

Assurance number: A3262
Campus

Did incident involve PHS funded activity? No

Funding component: _____

Was funding component contacted (if necessary): _____

What happened? Field collection of bats. Unauthorized "data-collector" handled bats + was bitten. Undergoing anti-rabies TX.

Species involved: Bats

Personnel involved: Researcher

Dates and times: 6/10/19

Animal deaths: No

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

Projected submission to OLAW of final report from Institutional Official: _____

OFFICE USE ONLY

Case # _____