



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

January 6, 2020

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

Dr. S. David Kimball  
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 December 16, 2019 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at Rutgers, The State University of New Jersey following up on an initial November 20, 2019 notification by telephone.

According to the information provided, this Office understands that Rutgers, The State University of New Jersey Animal Care and Use Committee (ACUC) determined that instances of noncompliance occurred with respect to: 11 cages of mice observed stacked inside a chemical safety cabinet that also housed chemical waste during semi-annual inspection of the lab on July 15, 2019. It was observed that the cages were not labeled with a hazard sign, although a hazardous substance had been administered. It is noted this research was not PHS funded. On August 21, 2019 at its regular meeting, the IACUC unanimously voted to report the matter to OLAW and voted to accept the corrective actions listed below. The corrective actions included the following:

- The cages were removed from the cabinet that housed the chemical waste.
- The PI was counseled by the IACUC Executive Committee as well as Comparative Medicine Resources (CMR) staff.
- The lab underwent retraining by the Post Approval Monitor, CMR staff, and Environmental Health and Safety.
- It was determined that administration of this substance did not need to be performed in the lab; therefore, it is now only performed in the animal facility.

Based on its assessment of this explanation, OLAW understands that Rutgers, The State University of New Jersey has implemented appropriate measures to correct and prevent recurrences of these problems and is now compliant with provisions of the PHS Policy. Although this activity was not PHS funded, the application of the expectations of the PHS Policy across the animal care and use program reduces any potential appearance of a double standard. We appreciate being informed of these matters and find no cause for further action by this Office.

*Page 2 – Dr. Kimball*  
*January 6, 2020*  
*OLAW Case A3262-3Y*

Sincerely,

(b) (6)

Jacquelyn T. Tubbs, DVM  
Veterinary Medical Officer  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare

cc: IACUC Contact



IACUC Office  
Rutgers University Animal Care  
RWJMS, Research Tower  
Rutgers, The State University of New Jersey  
675 Hoes Lane West, Room 115  
Piscataway, NJ 08854

<http://orad.rutgers.edu/iacuc>

p. 732-235-6081

December 16, 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 November 20, 2019. During a routine semi-annual inspection of a lab on July 15, 2019, 11 cages of mice were observed stacked in a chemical safety cabinet that also housed chemical waste. It was also noted that area and the cages were not labeled with a hazard sign, although a hazardous substance had been administered.

The following actions were taken in response to this incident:

- The cages were removed from the cabinet that also housed chemical waste.
- The PI was counseled by the IACUC Executive Committee as well as Comparative Medicine Resources (CMR) staff.
- The lab underwent re-training by the Post Approval Monitor, CMR staff, and Environmental Health and Safety.
- It was determined that administration of this substance did not need to be performed in the lab; therefore, it is now only performed within the animal facility.
- At its regular meeting on August 21, 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.

Please note that 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

**Morse, Brent (NIH/OD) [E]**

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**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Thursday, December 19, 2019 8:04 AM  
**To:** (b) (6) OLAW Division of Compliance Oversight (NIH/OD)  
**Cc:** (b) (6)  
**Subject:** RE: final reports for Rutgers Assurance D16-00169 (A3262-01)

Thank you for providing these reports (b) (6) We will send official responses soon.

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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**From:** (b) (6)  
**Sent:** Wednesday, December 18, 2019 5:05 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 eight 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)



## Initial Report of Noncompliance

By: an

Date: 11/20/19

Time: 10:00

Name of Person reporting: (b) (6)

Telephone #: (b) (6)

Fax #:

Email:

Name of Institution: Rutgers

Assurance number: A3262

Did incident involve PHS funded activity? No

Funding component: \_\_\_\_\_

Was funding component contacted (if necessary): \_\_\_\_\_

What happened?

11 cages of mice housed in chemical hood w/ chemicals, no BSL  
signs for mice w/ carcinogens

Species involved:

Personnel involved:

Dates and times:

Animal deaths:

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

Retrain lab staff

Projected submission to OLAW of final report from Institutional Official:

OFFICE USE ONLY

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