



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

December 3, 2019

Re: Animal Welfare Assurance
#A3160-01 [OLAW Case U]

Ms. Julie Jordan
Interim Vice President for Research and
Economic Development
Mississippi State University
P.O. Box 6343, (b) (4) Lee Hall
Mississippi State, MS 39792

Dear Ms. Jordan,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your November 22, 2019 letter reporting an incident of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at Mississippi State University. According to the information provided, OLAW understands that an investigator deviated from his protocol by not using an anesthetic regimen that was approved in the protocol. The letter states the protocol describes isoflurane gas will be used to anesthetize mice for oral inoculation and mice will be exposed to isoflurane gas before intravenous injection. However, it was reported that no anesthetic was being used before procedures, which resulted in an incidence of noncompliance.

The corrective action taken was to amend the protocol to include the option of not using an anesthetic regimen. The PI has accepted responsibility for his actions and the IACUC reviewed and accepted the corrective action plan at the IACUC meeting on November 19, 2019. OLAW assumes that the mice that underwent procedures without anesthesia did not experience undue pain/distress and therefore, the amendment to the protocol is appropriate.

Based on its assessment of this explanation, OLAW understands that Mississippi State University has implemented measures to correct and prevent recurrence of this incident. OLAW concurs with the actions taken by MSU Animal Care and Use Committee to comply with the PHS Policy.

We appreciate being informed of this matter and find no cause for further action by this office.

Sincerely,

(b) (6)

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

cc: IACUC Contact



MISSISSIPPI STATE
UNIVERSITY™

**Office of the Vice President for
Research and Economic
Development**

November 22, 2019

P.O. Box 6343
3001 Lee Hall
Mississippi State, MS 39762

P. 662.325.3570

www.research.msstate.edu

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

Dear Dr. Wolff:

Mississippi State University, in accordance with Assurance A3160-01 and PHS Policy IV.F.3., provides this report of noncompliance regarding an Investigator who deviated from his protocol by using a different anesthetic regimen than what he stated in his protocol (18-508). Specifically, the protocol stated that his anesthetic regimen would be "For oral inoculation, mice will be anesthetized by isoflurane gas (1 liter/ min)." and "For intravenous injection, mice will be exposed to isoflurane before injection process." However, it was reported that no anesthetic was being used before the procedures, which resulted in a failure to adhere to an IACUC – approved protocol.

The funding components associated with these projects are as follows:

<u>Sponsor</u>	<u>MSU Banner Account #</u>	<u>Exp. Date</u>	<u>Award Title</u>
NIH	311335-193400-021000	Expires 9/30/23	Role of DeoR-Family Transcription Regulators in metabolic adaptation of <i>Listeria Monocytogenes</i> to Stressful Food-Related Environmental Conditions and Intracellular Host Cells

To address the situation, corrective actions have been taken to amend the protocol to include, the option of not using an anesthetic regimen. The PI has accepted full responsibility for his actions and the IACUC determined that this was an isolated incident and not an issue of repeat noncompliance.

At the IACUC meeting on November 19, 2019, the IACUC reviewed and accepted the corrective action plan.

Mississippi State is committed to protecting the welfare of animals use in research and appreciates the guidance and assistance provided by OLAW in this regard. Should you have any questions regarding this report, please contact Brian Rude, PhD, IACUC Chair at (b) (6) or by email at brude@ads.msstate.edu.

Thank you for your consideration of this matter.

Sincerely,

(b) (6)

Julie Jordan
Interim Vice President for Research and Economic Development

cc: Ms. Kacey Strickland, Director of Research Compliance
Dr. Brian Rude, Chair, IACUC

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Monday, November 25, 2019 9:58 AM
To: (b) (6)
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: Final Report to OLAW - (b) (6)

Thank you for this report, (b) (6) We will respond soon.

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

From: (b) (6)
Sent: Monday, November 25, 2019 9:49 AM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: Rude, Brian <BRude@ads.msstate.edu>; (b) (6) Strickland, Kacey
<kstrickland@orc.msstate.edu>; (b) (6)
(b) (6)
Subject: Final Report to OLAW - (b) (6)

Please see the attached final report regarding (b) (6) from Mississippi State University.

Thank you.

(b) (6)