



USDA, APHIS, Animal Care



ANIMAL WELFARE COMPLAINT

Complaint No. AC17-164	Date Entered 20-Dec-16	Received By E.F.
Referred To Pannill / Moore / Digesualdo	Reply Due 21-Jan-17	

Facility or Person Complaint Filed Against

Name Texas A&M University system health Science Center	Customer/License/Registration No. 74-R-0039 / 1411
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Address Office of Research, 147 Reynolds Medical Bldg. 1114 TAMU			
City College Statnio	State TX	Zip 77843	Phone No (979) 436-0591

Complainant

Name Anonymous	Organization
-------------------	--------------

Address			
City	State	Zip	Phone No./Email address

How was complaint received? E-mail

Details of Complaint: see attached

Results: Inspection conducted 1/19/2017 of dogs, facilities, records and related IACUC documents with no NCI's identified. Review of four applicable protocols indicate compliant justification for animal use, animal numbers and search for alternatives. Appropriate anesthesia, analgesics and/or palliative care provided for any dogs used in Category D studies. No protocol deviations identified.

Application packet provided? Yes ☐ No ☒

INSPECTOR Mary Moore	DATE 20-Jan-17
REVIEWED BY Cody Yager	DATE 21-Jan-17



Inspection Report

Texas A&M Univ. System Health Science Center
Animal Welfare Office
Mail Stop 1186 Tamu
College Sta, TX 77843

Customer ID: **1411**

Certificate: **74-R-0039**

Site: 001

Texas A&M University System Health Science Center

Type: ROUTINE INSPECTION

Date: 17-APR-2017

No non-compliant items identified during this inspection.

This inspection and exit interview were conducted with facility representatives.

Prepared By:

DIGESUALDO CYNTHIA, D V M USDA, APHIS, Animal Care

Date:

26-MAY-2017

Title: VETERINARY MEDICAL OFFICER 5055

Received By:

20-00856_000 (b) (6), (b) (7)(C)

Title: SENT BY EMAIL

Obtained by Rise for Animals. Uploaded 07/08/2020
Date: 26-MAY-2017



Inspection Report

Texas A&M Univ. System Health Science Center
Animal Welfare Office
Mail Stop 1186 Tamu
College Sta, TX 77843

Customer ID: **1411**

Certificate: **74-R-0039**

Site: 001

Texas A&M University System Health Science Center

Type: ROUTINE INSPECTION

Date: 17-APR-2017

2.31(c)(3)

INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE (IACUC).

The computer program currently used by this facility to submit and track the status of protocols does not seem to be adequate for the task. During this inspection a protocol was requested for review. The only version available in the iRIS system was not the correct protocol. The protocol available in iRIS left out significant information. One of the animal technicians was able to provide a copy of the correct protocol that had been printed in Nov 2016. Facility representatives were never able to find this correct version in the iRIS system.

The IACUC is responsible for conducting routine evaluations of the research facilities ongoing animal programs. Without access to accurate protocols the IACUC cannot perform accurate evaluations of the ongoing activities.

Some method needs to be developed to ensure all IACUC members and relevant employees have access to correct protocols and can ensure that they are the correct protocols.

To be corrected by: May 1, 2017

This inspection and exit interview were conducted with facility representatives.

Prepared By:

DIGESUALDO CYNTHIA, D V M USDA, APHIS, Animal Care

Date:

18-APR-2017

Title: VETERINARY MEDICAL OFFICER 5055

Received By:

20-00856_000 (b) (6), (b) (7)(C)

Title: SENT BY EMAIL

Obtained by Rise for Animals, Uploaded 07/08/2020
Date: 18-APR-2017

Fausch, Emily R - APHIS

AC17-164

From: AC West
Sent: Monday, December 19, 2016 8:20 PM
To: Fausch, Emily R - APHIS
Subject: AC17-###- Texas A&M University- 1411

Follow Up Flag: Follow up
Flag Status: Flagged

Hey,

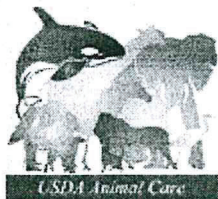
Please process this complaint.

Thanks,

Katie Whisenton
Program Specialist
Civil Rights & Diversity Chair
970-494-7587

USDA-APHIS-AC
2150 Centre Ave.
Building B, 3W11
Fort Collins, CO 80526
ph:970-494-7478
fax:970-494-7461

Join the Animal Care Stakeholder Registry and receive emails on topics of interest



From: noreply@aphis.usda.gov [mailto:noreply@aphis.usda.gov]
Sent: Friday, December 16, 2016 7:47 PM
To: AC West <acwest@aphis.usda.gov>
Subject: USDA APHIS ANIMAL CARE - Animal Welfare Complaint Submission

Details of complaint:

- Name of USDA licensee/registrant:
- USDA license/registration number:
- City/State:neligh, NE
- Complaint details:<http://www.foxnews.com/us/2016/12/16/peta-bites-texas-m-over-cruel-golden-retriever-research.html>

Submitted To: acwest@aphis.usda.gov

Complaint Contact Information:

Can Contact Complainer: No, I would like to remain anonymous.

Name:

Organization:

Street Address:

Apt/Suite:

City / State / Zip: , ,

Phone Number:

Email:

Submitted on: Dec 16, 2016 9:47:16 PM EST

From: [AC West](#)
To: [Fausch, Emily R - APHIS](#)
Subject: Complaint: Additional Information- AC17-164
Date: Wednesday, March 15, 2017 8:04:43 AM
Attachments: [image001.png](#)

Hey Emily-

Will you please add the email below as additional information to the complaint you opened AC17-164 and send a response to the person below. Let me know if you have any questions.

Thanks,

Katie Whisenton

Program Specialist
Civil Rights & Diversity Chair
970-494-7587

USDA-APHIS-AC
2150 Centre Ave.
Building B, 3W11
Fort Collins, CO 80526
ph:970-494-7478
fax:970-494-7461

[Join the Animal Care Stakeholder Registry and receive emails on topics of interest](#)



From: noreply@aphis.usda.gov [mailto:noreply@aphis.usda.gov]
Sent: Tuesday, March 14, 2017 2:20 PM
To: AC West <acwest@aphis.usda.gov>
Subject: USDA APHIS ANIMAL CARE - Animal Welfare Complaint Submission

Details of complaint:

- Name of USDA licensee/registrant:
- USDA license/registration number:
- City/State: College Station, TX
- Complaint details: I am concerned about the treatment of dogs used in the laboratories at Texas A&M University. There have been several articles,

petitions and videos showing the continued abuse of these dogs.
<http://investigations.peta.org/french-dog-laboratory-animal-testing/>
<http://www.dailymail.co.uk/news/article-4254628/Heartbreaking-video-shows-dogs-animal-testing-lab.html>
<http://www.houstonpress.com/news/disturbing-footage-shows-aandm-dogs-used-in-medical-research-updated-9012763>
USDA has cited this university for several abuses in the past few months. Due to their consistent violations, can't something be done to get them released?

Submitted To: acwest@aphis.usda.gov

Complaint Contact Information:

Can Contact Complainer: Yes

Name: (b) (6), (b) (7)(C), (b) (7)(D)

Organization:

Street Address: (b) (6), (b) (7)(C), (b) (7)(D)

Apt/Suite:

City / State / Zip: (b) (6), (b) (7)(C), (b) (7)(D)

Phone Number: (b) (6), (b) (7)(C), (b) (7)(D)

Email: (b) (6), (b) (7)(C), (b) (7)(D)

Submitted on: Mar 14, 2017 4:19:50 PM EDT



Animal and Plant
Health Inspection
Service

March 16, 2017

Animal Care

(b) (6), (b) (7)(C), (b) (7)(D)

Dear Complainant:

Thank you for your correspondence dated 3/14/2017 concerning Texas A&M University. Your concern has been issued number AC17-164. **If you wish to know the results of our findings, you must send a request, in writing, to our Freedom of Information Act office. Depending on the circumstances of the situation, please allow us enough time (30 to 60 days) to thoroughly look into your concerns.**

FOIA requests can be submitted three ways--

- 1. Email: foia.officer@aphis.usda.gov**
- 2. Fax: 301-734-5941**
- 3. US Mail: USDA, APHIS, FOIA
4700 River Road, Unit 50
Riverdale, MD 20723**

Animal Care is the division of the U.S. Department of Agriculture (USDA) that is responsible for the enforcement of the Animal Welfare Act. The Act provides minimum standards for the humane care and use of animals at USDA licensed or registered facilities.

Animal Care inspectors conduct routine unannounced inspections at all USDA licensed and registered facilities to ensure that they are meeting or exceeding these minimum standards. Our inspectors also conduct searches for unlicensed facilities conducting regulated activities. We perform inspections and searches when necessary in response to valid concerns and complaints received from the public to ensure the well-being of the animals and compliance with the law. If violations are found, enforcement action appropriate for the circumstances will be initiated.

Please be assured that we will look into your concerns and take appropriate action if necessary.

Thank you for your interest in the welfare of these animals.

Sincerely,

Robert M. Gibbens, DVM
Director, Animal Welfare Operations
USDA APHIS Animal Care

U.S.

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U.S.

PETA bites Texas A&M over 'cruel' golden retriever research

By Ray Bogan

Published December 16, 2016

FoxNews.com

NOW PLAYING

[PETA accuses Texas A&M facility of cruelty against dogs](#)

Animal rights activists have unleashed their anger at Texas A&M University, where they say a professor's experiments on golden retrievers amount to animal cruelty.

People for the Ethical Treatment of Animals (PETA) claims Dr. Joseph Kornegay, who works in the school's Department of Veterinary Integrative Biosciences, is conducting "cruel, useless experiments" on the dogs. The tests involve muscular dystrophy research that PETA says could be carried out without using live canines.

"Three decades of painful experiments on generations of debilitated and suffering golden retrievers have failed to result in a cure or even a treatment that can reverse the course of muscular dystrophy in humans," said Dr. Alka Chandna, PETA's senior laboratory oversight specialist. "PETA is calling for an immediate end to these cruel, useless experiments."

Those claims were amplified in a letter PETA's Dr. Emily Trunnell wrote to college President Michael Young that asked the college to instead conduct tests with what they call "modern, non-animal, human-relevant studies."

In the letter, PETA cited Kornegay's own research saying researchers stretch muscles of the dogs with levers to induce mechanical damage, and that some dogs experience a shift in their hind limbs and an inability to open their mouths or jaws.

The letter also accuses the college's program of specifically breeding dogs with muscular dystrophy, and calls for an end to that practice. PETA is demanding that the dogs now in the lab be made available for adoption.

Kornegay acknowledged the practice, but said there aren't enough client-owned dogs with the disease for research. He said similar methods are used for dogs with other diseases like hemophilia or retinal diseases.

"There's not another way," said Kornegay. "I'm a dog lover, I'm a veterinarian, I've had dogs all my life. So every time we have a research project we want to be as sure as we can that the research will be valuable because the dogs are valuable. Not financially valuable, but valuable as individuals"

Along with the letter, PETA released a video which they claim was taken undercover inside the Texas A&M laboratory. The video also shows dogs in similar conditions at a lab in France.

20-00856_000054

Obtained by Rise for Animals. Uploaded 07/08/2020

The footage shows dogs in metal cages, which appear weak as they struggle to eat. Some can be seen salivating excessively, which PETA says is a symptom of the dog's swollen tongues and weak jaws.

Kornegay confirmed that part of the video was shot at a Texas A&M facility, but said based on the dogs in the video, it must be about three years old. He said the facility is regulated by the U.S. Department of Agriculture, and also noted dogs in the video were wagging their tails, walking up to the person taking the video and doing "what dogs do."

"The suggestion that these dogs are being depicted through the video in a way that they're being abused or the care for them is not appropriate is just untrue, to be kind. It couldn't be farther from the truth," said Kornegay.

Kornegay has written more than 30 publications about his research on muscular dystrophy in dogs, including a 2013 article titled "Comparative Genomics of X-linked Muscular Dystrophies: The Golden Retriever Model."

"Today, dogs are providing valuable information toward understanding and treating human diseases, making the phrase "man's best friend" more appropriate than ever," wrote Kornegay.

Kornegay also wrote that dogs can better predict the potential success of treatments for humans compared to other animals like mice. He told Fox News he believes in the importance of his research.

"I've had to come to terms with what I've spent over 30 years doing and the value of that," said Kornegay. "I'm convinced the research is valuable, it's important and that progress is being made."

Ray Bogan is a Fox News multimedia reporter based in El Paso, Texas. Follow him on twitter: [@RayBogan](#)

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- 4 **Dear daughter, here's what it really means to be empowered**
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January 20, 2017

Dr. Axel Wolff, Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
RKL 1, Suite 360, MSC 7982
6705 Rockledge Drive
Bethesda, MD 20892-7982

RE: Animal Welfare Assurance A3893-01 [OLAW Case W]

Dear Dr. Wolff:

Thank you for allowing us to respond to the concerns raised about the care of dogs affected with the canine disease, golden retriever muscular dystrophy (GRMD) that is genetically homologous with Duchenne Muscular Dystrophy (DMD). The dogs are on PHS-supported studies conducted by Dr. Joe Kornegay at Texas A&M University. We were recently made aware of a video taken of the dogs in their housing facility. The video appeared to be from several years ago and was posted with no context provided. The subsequent concerns and requested additional information to address those concerns are provided below.

1) Are the dogs singly housed for extended periods, and if so, what is the justification?

Yes. Some dogs cannot be co-housed due to behavioral or clinical problems. Every effort is made to house animals in stable pairs, however, there are instances where clinical conditions or aggressive behaviors make pair housing not in the best interest of the animals. These situations are documented in the animal's record.

2) Are the dogs provided palliative care when their condition deteriorates? If so, what measures are taken?

As the disease progresses, the animal's condition is monitored closely and additional measures are taken to provide the best possible care. These modifications would include changing food consistency for easier swallowing, raising food bowls to allow for easier access and swallowing, more frequent bathing or cleaning of the dog, assistance with walking, modification of toys and of the exercise program in the outside yard, close observation of food intake and increased frequency of weighing.

3) *Are humane endpoints in place for these studies, and if so, what are they?*

There are two principal indications for humane euthanasia of the affected dogs. Those humane endpoints are the deterioration of gait where the dog has difficulty moving and the deterioration of the dog's overall physical condition (i.e. ability to eat and drink, loss of body weight and muscle mass). The condition of the dogs is closely monitored by the investigator and his staff with daily communication with the Attending Veterinarian and animal care staff.

4) *Is any form of environmental enrichment (conspecific contact, human contact, resting platforms) provided for the dogs, and if so, what kind?*

Positive human/animal interaction happens 7 days a week with the animal care staff during the daily cleaning and feeding of the animals. All animals are provided a variety of toys in the runs and additional play time in the outside paddock areas as weather conditions permit. The dogs are allowed to play in compatible groups. Dogs are bathed at least monthly and more often, if necessary. All dogs are housed in 4' x 6' runs and double this size if they are pair housed. The kennels also have windows to allow for normal circadian light cycles within the kennels. The kennels have raised flooring to provide an easily cleanable, dry area which is also slip resistant and provides good traction for the affected dogs. Due to their decreased ability to climb up on and jump off of raised surfaces, resting platforms are not used for the safety of the dogs.

5) *Has the IACUC weighed the objectives of the study against potential animal welfare concerns?*

The IACUC conducts a harm/benefit analysis when evaluating a proposed study to ensure the benefits of the study outweigh the potential risks. The principal investigator provides a justification for the use of animals and a rationale for the species or model selected for the study. The IACUC evaluates the justification and rationale to ensure that the animal model is appropriate. The IACUC also evaluates the experimental design, interventions, and proposed humane endpoints to ensure the animal's welfare is the primary consideration.

In this case, the IACUC carefully evaluated use of the GRMD model against the use of other DMD animal and non-animal models. The IACUC determined that studies in GRMD dogs provide unique insight into DMD disease progression which allows for the development and preclinical testing of new therapies to treat this disease.

6) *Are the dogs monitored more frequently and provided with additional care as the clinical condition progresses?*

Affected dogs are evaluated daily for evidence of deterioration in movement or lack of joint flexibility. Dogs are weighed 3-5 times daily from birth to 3 weeks of age and 2-3 times daily until 6 weeks. Thereafter, dogs are weighed weekly unless there has been evidence of deterioration as judged by other clinical features, in which case dogs would be weighed daily.

Worsening of any of these physical parameters (movement and flexibility, body weight, hydration status) could indicate deterioration in the overall physical condition and indicate the need for more careful monitoring. The physical parameters are evaluated on a daily basis in consultation with veterinary staff. The principal investigator's technical staff is skilled in differentiating the severity of disease progression that allows for the most effective care of the animal.

The dogs are treated with the utmost respect and exceptional care on site by board-certified veterinarians and highly trained staff. The facility built for this research is state-of-the-art. Our work is shared nationally and globally with the goal of finding a cure for this dreadful disease in both children and dogs worldwide. We are proud of our care team, facility and work in support of this endeavor.

If you have any questions, please contact me.

Regards,

(b) (6), (b) (7)(C)

CC: Robert Gibbens, DVM, Western Regional Director, USDA-APHIS-AC

(b) (6), (b) (7)(C)



Inspection Report

Texas A & M University
Office Of Research Compliance
1186 Tamu
College Station, TX 77843

Customer ID: **1499**
Certificate: **74-R-0012**
Site: 001
Texas A&M University

Type: ROUTINE INSPECTION
Date: 19-JAN-2017

No non-compliant items identified during this inspection.

This was a focused inspection of Bldg 1911, associated records and IACUC documents.

The inspection and exit interview were conducted with CMP Executive Director.

Prepared By:

MARY MOORE USDA, APHIS, Animal Care

Date:
20-JAN-2017

Title: VETERINARY MEDICAL OFFICER 1044

Received By:

20-00856_000059 SENT VIA EMAIL

Title: (b) (6), (b) (7)(C)

Date:
20-JAN-2017
Obtained by Rise for Animals, Uploaded 07/08/2020

From: [AC West](#)
To: [Fausch, Emily R - APHIS](#)
Subject: FW: USDA inspection report
Date: Monday, January 23, 2017 2:34:07 PM
Attachments: [IR 1499 2017.01.19.pdf](#)

Very Respectfully,



Craig A. Nowakowski
Director, Program Support
USDA, APHIS, Animal Care



2150 Centre Avenue Building B, Mailstop 3W11, Fort Collins, CO 80526-8117 || Office: (970)494-7320
Cell: (301)456-4886 || FAX: (970)494-7461 || Craig.A.Nowakowski@aphis.usda.gov || [USDA APHIS | Animal Care](#)

"The greatness of a nation and its moral progress can be judged by the way its animals are treated." — Mahatma Gandhi

From: Moore, Mary E - APHIS
Sent: Friday, January 20, 2017 8:36 AM
To: AC West <acwest@aphis.usda.gov>
Subject: FW: USDA inspection report

Mary E. Moore D.V.M.
Veterinary Medical Officer
USDA/APHIS/Animal Care
Cell 240-381-1636

From: (b) (6), (b) (7)(C) [@tamu.edu](#)
Sent: Friday, January 20, 2017 8:47 AM
To: Moore, Mary E - APHIS <Mary.E.Moore@aphis.usda.gov>
Subject: RE: USDA inspection report

Got it
thx

From: Moore, Mary E - APHIS [<mailto:Mary.E.Moore@aphis.usda.gov>]
Sent: Friday, January 20, 2017 8:34 AM
To: (b) (6), (b) (7)(C)
Subject: USDA inspection report

Good morning (b) (6), (b) (7)(C),

Attached is your most recent inspection report. Please reply to this email to confirm receipt. Thank you.

Mary E. Moore D.V.M.
Veterinary Medical Officer
USDA/APHIS/Animal Care
Cell 240-381-1636

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

Benson, Amy V - APHIS

From: Fausch, Emily R - APHIS
Sent: Thursday, April 9, 2020 9:38 AM
To: Benson, Amy V - APHIS
Subject: RE: Complaint AC17-164 1499 TX A & M
Attachments: AC17-164.pdf

Here ya go! It wasn't uploaded in ACIS? Ooopsss!

From: Benson, Amy V - APHIS
Sent: Wednesday, April 8, 2020 4:18 PM
To: Fausch, Emily R - APHIS <emily.r.fausch@usda.gov>
Subject: Complaint AC17-164 1499 TX A & M

Hi Emily, You don't happen to have the results from this complaint on TX A & M? it was closed on June 14, 2017. I have a complaint- AC19-298 that was closed out saying it's the same as AC17-164 and I needed the results for a FOIA.
Thanks - Amy

Sincerely,

Amy Benson
Inspection & Licensing Assistant
Program Support
USDA APHIS Animal Care
Phone: (970) 494-7478

Please send all paperwork to our new mailing address:
Fort Collins: 2150 Centre Ave., **Building B, 3W11**, Fort Collins CO, 80526

Our previous email addresses have been combined. For future communication, please use:
Email: Animalcare@usda.gov

[Join the Animal Care Stakeholder Registry and receive emails on topics of interest](#)

We are happy to announce that we have introduced an online self-service tool to assist you in determining the appropriate application to complete as required under the Animal Welfare Act (AWA).
Visit efile.aphis.usda.gov/LRAssistant to complete the 5 to 15 minute questionnaire that will recommend the specific license and/or registration types required (if any) and provides links to download those applications.