



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

October 10, 2018

Re: Animal Welfare Assurance  
A3099-01 [OLAW Case 1C]

Dr. Paul Feustel  
Director of Research Affairs  
Albany Medical College  
47 New Scotland Avenue, MC #1  
Albany, NY 12208-3479

Dear Dr. Feustel,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your September 27, 2018 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at Albany Medical College, following up on an initial report on August 30, 2018. According to the information provided, OLAW understands that a live rat was found in the carcass freezer due to a failure to verify death following an unapproved attempt of cervical dislocation for euthanasia.

The immediate action taken upon discovery consisted of correctly euthanizing the rat and suspending vivarium access for the trainee responsible. The corrective actions consisted of retraining the individual, restoring vivarium access, allowing only senior Animal Resources Facility staff to euthanize rats, and transferring rats to another protocol if a training procedure is followed by unsupervised euthanasia.

Based on its assessment of this explanation, OLAW understands that measures have been implemented to correct and prevent recurrence of this problem. OLAW concurs with the actions taken by the institution to comply with the PHS Policy.

Sincerely,

(b) (6)

Axel Wolff, M.S., D.V.M.  
Deputy Director  
Office of Laboratory Animal Welfare

cc: IACUC Chair



Research Office • Mail Code #1 • 47 New Scotland Avenue, Albany, NY 12208  
Phone: (518) 262-5182 • Fax: (518) 262-5890

Albany Medical College

27 September 2018

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

To Whom It May Concern

As Institutional Official of Albany Medical College (AMC), I am submitting this follow up report to a previously reported incident on August 30, 2018.

**Name of Institution:** Albany Medical College, Albany, NY 12208

**Animal Welfare Assurance Number:** D16-00062 (A3099-01)

**ACUP # and Title** 17-10003 Training in Laboratory Rats

**Grant Number:** None

**Impact on PHS-Supported Activities:** None.

**Explanation for Incident (previously reported):** On August 28th, a live rat was discovered in the necropsy freezer after a non-IACUC- compliant euthanasia procedure which was unsuccessful.

**Corrective Actions (previously reported):** The individual responsible was identified and Animal Resources Facility (ARF) access immediately (on August 28th) suspended by the ARF director. The IACUC needs to meet to consider further action.

**Corrective Actions (NEW):** The individual involved attended the IACUC meeting on the 20<sup>th</sup> of Sept. She had sought training from an ARF staff member on tail vein catheterization. At the completion of the catheterization training the instructor asked the trainee to euthanize the rat. The instructor assumed that the trainee had experience in performing this procedure and the trainee assumed that, having performed the cervical dislocation procedure many times in mice, she could do it successfully. She attempted the procedure and placed the presumed dead rat in the freezer. The rat was found alive 20-30 minutes later by the ARF staff member and immediately properly euthanized. The IACUC concluded that the trainee should have not undertaken the euthanasia and the instructor should have verified that rat euthanasia training had been previously performed.

The trainee and the protocol PI attended the IACUC meeting of 20 Sept. Based on that interview and the lack of any prior instance of non-compliance with either individual, the IACUC was convinced that this mistake was unlikely to be repeated. The IACUC directed that, after completing training, that access to the facility be restored. The IACUC also requested that a corrective action plan be submitted to the IACUC. The PI agreed and responded in writing on Sept 26<sup>th</sup>. From the PI: "... To ensure that such an incident does reoccur under my protocol, I have undertaken the following measures. No rat listed under my training protocol will be passed to the custody of anyone outside of senior ARF staff for euthanasia. If an animal user wishes to practice a technique on a rat that results in euthanasia without

*veterinary technical supervision, the rat will first have to be transferred onto another approved protocol via the amendment process. ...*" The response was circulated to the committee and approved on September 27<sup>th</sup>.

The Albany Medical College is committed to assuring the welfare of all animals used in research. This report provides and describes the circumstances and actions taken. If you have any questions, please do not hesitate to contact me.

Sincerely,

(b) (6)

Paul J. Feustel, Ph.D.  
Institutional Official  
Director, Office of Research Affairs  
Phone: (b) (6)  
e-mail: feustep@amc.edu

(b) (4)

(b) (6)

(b) (6)

(b) (4)

(b) (6)

which it is addressed. If you are not the intended recipient, please notify the sender by replying to this email and destroying all copies of the communication and attachments. Further use, disclosure, copying, distribution of, or reliance upon the contents of this email and attachments is strictly prohibited. To contact Albany Medical Center, or for a copy of our privacy practices, please visit us on the Internet at [www.amc.edu](http://www.amc.edu).

----- CONFIDENTIALITY NOTICE: This email and any attachments may contain confidential information that is protected by law and is for the sole use of the individuals or entities to which it is addressed. If you are not the intended recipient, please notify the sender by replying to this email and destroying all copies of the communication and attachments. Further use, disclosure, copying, distribution of, or reliance upon the contents of this email and attachments is strictly prohibited. To contact Albany Medical Center, or for a copy of our privacy practices, please visit us on the Internet at [www.amc.edu](http://www.amc.edu).

**Wolff, Axel (NIH/OD) [E]**

---

**From:** OLAW Division of Compliance Oversight (NIH/OD)  
**Sent:** Thursday, August 30, 2018 11:17 AM  
**To:** Feustel, Paul  
**Cc:** OLAW Division of Compliance Oversight (NIH/OD)  
**Subject:** RE: Preliminary report

Thank you for this preliminary report, Dr. Feustel. I will open a new case file and look forward to receiving the final report after the IACUC has completed its investigation.

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

**From:** Feustel, Paul [mailto:FeusteP@amc.edu]  
**Sent:** Thursday, August 30, 2018 11:13 AM  
**To:** OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>  
**Cc:** Ferland, Russell <FerlanR@amc.edu>; (b) (6)  
**Subject:** Preliminary report

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

To Whom It May Concern

As Institutional Official of Albany Medical College (AMC), I am submitting a preliminary report of noncompliance regarding an animal welfare issue.

**Explanation for Incident:** This is a preliminary report of an incident at Albany Medical College. On August 28th, a live rat was discovered in the necropsy freezer after a non-IACUC- compliant euthanasia procedure which was unsuccessful. The individual responsible was identified and Animal Resources Facility access immediately suspended by the ARF director. The IACUC needs to meet to consider further action. A final report will be submitted after that meeting.

**Name of Institution:** Albany Medical College, Albany, NY 12208

**Animal Welfare Assurance Number:** D16-00062 (A3099-01)

**Corrective Actions:**

**Grant Number:** None

**Impact on PHS-Supported Activities:**

The Albany Medical College is committed to assuring the welfare of all animals used in research. This preliminary report provides and describes the circumstances but not the actions taken. If you have any questions, please do not hesitate to contact me.  
 Thank you for your consideration in this matter.

Sincerely,

**Paul J. Feustel, Ph.D.**  
**Institutional Official**  
**Director, Research Administration, Basic Science**  
**Office of Research Affairs, [REDACTED] Mail Code 1**  
**Albany Medical College**  
**Albany NY 12208**

**phone:** [REDACTED] (b) (6)

**feustep@amc.edu**

----- **CONFIDENTIALITY NOTICE:** This email and any attachments may contain confidential information that is protected by law and is for the sole use of the individuals or entities to which it is addressed. If you are not the intended recipient, please notify the sender by replying to this email and destroying all copies of the communication and attachments. Further use, disclosure, copying, distribution of, or reliance upon the contents of this email and attachments is strictly prohibited. To contact Albany Medical Center, or for a copy of our privacy practices, please visit us on the Internet at [www.amc.edu](http://www.amc.edu).