



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:

Office of Laboratory Animal Welfare
Rockledge One, Suite 360
6705 Rockledge Drive – MSC 7982
Bethesda, Maryland 20892-7982
Home Page: <http://grants.nih.gov/grants/olaw/olaw.htm>

FOR EXPRESS MAIL:

Office of Laboratory Animal Welfare
Rockledge One, Suite 360
6705 Rockledge Drive
Bethesda, Maryland 20817
Telephone: (301) 496-7163
Facsimile: (301) 402-7065

October 26, 2016

Re: Animal Welfare Assurance
A3084-01 [OLAW Case 2T]

Dr. Paul Alivisatos
Vice Chancellor for Research
University of California, Berkeley
119 California Hall, MC 1500
Berkeley, CA 94720-1500

Dear Dr. Alivisatos,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your October 18, 2016 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the University of California- Berkeley, following up on an initial report on May 20, 2016. According to the information provided, OLAW understands that twelve rats failed to receive post-surgical analgesia as described in the approved protocol, one rat died, and one required additional care. There were no analgesics present in the laboratory and none were on order.

The corrective actions consisted of retraining the laboratory staff on anesthesia/analgesia, ordering the appropriate drugs, and having the Principal Investigator assure the Institutional Animal Care and Use Committee (IACUC) that the protocol will be followed.

OLAW understands that the protocol involved was not PHS-supported, but concurs that the incident was serious and supports the actions taken by the IACUC. The establishment and application of policies and practices that are consistent with the provisions of the PHS Policy at the University of California- Berkeley are commendable and avoid the perception of a double standard. Thank you for keeping OLAW apprised on this matter.

Sincerely,

Axel Wolff, M.S., D.V.M.
Director
Division of Compliance Oversight

cc: IACUC Chair

Secondary Individual

Director, Research Subject Protection

Secondary Indiv

Secondary Indiv

The PI has informed the ACUC that the activities were not performed under any Public Health Service funding.

The Berkeley research community adheres to responsible animal research practices and ethics and has worked hard in this instance—first identified by our own veterinarians, immediately addressed, and voluntarily reported to your office—to understand how this incident took place and to improve our processes and procedures. As a result, I believe we have fulfilled and maintained our ongoing commitment to maintaining the highest standards of animal care and welfare, as described in our Animal Welfare Assurance.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'A. Paul Alivisatos', followed by a long horizontal flourish and a small vertical tick mark at the end.

A. Paul Alivisatos
Vice Chancellor for Research

Cc: Dr. Greg Lawson, AV and Director of OLAC
William Sha, MD, PhD, and Chair of ACUC

Wolff, Axel (NIH/OD) [E]

A 3084-27

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Monday, May 23, 2016 6:55 AM
To: Secondary Individual
Subject: RE: Rat incident preliminary report from UCB

Thank you, Secondary Individual. We'll start a new case file.
Axel Wolff

From: Secondary Individual [mailto:Secondary Individual@berkeley.edu]
Sent: Friday, May 20, 2016 5:40 PM
To: OLAW Division of Compliance Oversight (NIH/OD)
Cc: Gregory Lawson; Bill SHA
Subject: Rat incident preliminary report from UCB

Hello Dr. Wolff:

This is a preliminary notification of an animal welfare & protocol noncompliance issue with twelve rats. Eight rats underwent one surgical procedure and another four rats underwent a different surgical procedure; however in neither procedure did the lab personnel follow the approved protocol and provide analgesia as described. One of the eight in the first procedure died and a second animal needed additional post-op care but has recovered. One of the OLAC Veterinarians and the OLAC Trainer have already provided re-training to the lab. The PI has been contacted to determine the funding support of these animals. A final report from the IO will be forthcoming when ACUC is done with its investigation.

Sincerely,

Secondary Individual

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Secondary Individual

Director, Research Subject Protection
Office for Protection of Human Subjects
Office for Animal Care and Use
UC Berkeley

****Please note I telecommute on Mondays so please email me for a quick response!****