



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 2U]

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 August 22, 2016. According to the information provided, OLAW understands that one chick died and two required euthanasia after undergoing eye surgery by an individual who had not been certified to conduct anesthesia and surgery.

The corrective actions consisted of retraining the laboratory staff on anesthesia and protocol compliance. The individual responsible may only conduct surgery under direct oversight by a veterinarian.

Based on the information provided, OLAW is satisfied that appropriate actions have been taken to investigate, correct, and prevent recurrence of the noncompliance. We appreciate having been informed about this matter and find no cause for further action by this Office.

Sincerely,

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

cc: IACUC Chair

Secondary Individual

Director, Research Subject Protection

Secondary Individual

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The Berkeley research community adheres to responsible animal research practices and ethics. The PI and Veterinarians have worked quickly to immediately address this incident and report to your office while looking 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 horizontal line and a small vertical tick mark.

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]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Wednesday, October 26, 2016 11:31 AM
To: Secondary Individual
Subject: RE: UCB Surgery on Chicks

Thanks. I'll respond soon.
Axel Wolff

From: Secondary Individual [mailto:Secondary Individual@berkeley.edu]
Sent: Wednesday, October 26, 2016 11:18 AM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Subject: Re: UCB Surgery on Chicks

Dr. Wolff,
My apologies - here's the correct attachment.

Secondary Individual

On Wed, Oct 26, 2016 at 4:54 AM, OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov> wrote:

Hi Secondary Individual

This is the wrong attachment. Please send the one regarding the chicks.

Thanks.
Axel Wolff

From: Secondary Individual [mailto:Secondary Individual@berkeley.edu]
Sent: Tuesday, October 25, 2016 6:59 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: Gregory Lawson <glawson@berkeley.edu>; Bill SHA <bsha@berkeley.edu>
Subject: UCB Surgery on Chicks

Dear Dr. Wolff:

Attached is the final report from our IO regarding the incident with chicks that underwent surgery which was initially reported to OLAW on 8/22/2016. If you have any questions, please do not hesitate to contact us.

Sincerely,

Secondary Individual

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!****

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!****

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Wednesday, October 26, 2016 7:41 AM
To: Secondary Individual
Subject: RE: UCB Surgery on Chicks

Thanks. We'll respond soon.
Axel Wolff

From: Secondary Individual [mailto:ary.l@berkeley.edu]
Sent: Tuesday, October 25, 2016 6:59 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: Gregory Lawson <glawson@berkeley.edu>; Bill SHA <bsha@berkeley.edu>
Subject: UCB Surgery on Chicks

Dear Dr. Wolff:
Attached is the final report from our IO regarding the incident with chicks that underwent surgery which was initially reported to OLAW on 8/22/2016. If you have any questions, please do not hesitate to contact us.
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!****

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Tuesday, August 23, 2016 5:46 AM
To: Secondary Individual
Subject: RE: Chick deaths

Thank you for this report, Secondary Individual. We will start a new case file.

Axel Wolff

From: Secondary Individual [mailto:Secondary Individual@berkeley.edu]
Sent: Monday, August 22, 2016 5:57 PM
To: OLAW Division of Compliance Oversight (NIH/OD)
Cc: Bill SHA; Gregory Lawson; Paul Alivisatos; Acuc Departmental
Subject: Chick deaths

Dear Dr. Wolff:

Unfortunately, I need to report a protocol noncompliance and the resulting deaths of some chicks. A lab member not yet certified to independently perform anesthesia and surgery did eight iridectomies on chicks. One surgery resulted in the death of the chick and later two others had to be euthanized. This research is NIH funded. A final report will be submitted by the IO at the conclusion of ACUC's 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!****