



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

December 6, 2017

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

Dr. G. Steven Martin
Interim Vice Chancellor for Research
University of California, Berkeley
■ California Hall, MC 1500
Berkeley, CA 94720-1500

Dear Dr. Martin,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your November 28, 2017 letter reporting a serious deviation from the provisions of the *Guide for the Care and Use of Laboratory Animals* at the University of California- Berkeley, following up on an initial report on July 18, 2017. According to the information provided, OLAW understands that during a routine weighing procedure, two bats remained undetected in a transport cage and were later found dead.

The corrective action consisted of the Principal Investigator and Attending Veterinarian developing a new weighing procedure that will prevent recurrence.

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

Sincerely,

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

cc: IACUC Chair
Director, Research Subject Protection
Robert Gibbens, D.V.M., USDA-APHIS-AC

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OFFICE OF THE VICE CHANCELLOR FOR RESEARCH
119 CALIFORNIA HALL #1500

BERKELEY, CALIFORNIA 94720-1500

November 28, 2017

Axel V. Wolff, M.S., D.V.M., Director
DIVISION OF COMPLIANCE OVERSIGHT
Office of Laboratory Animal Welfare, National Institutes of Health
RKL1, Suite 360, MSC 7982
6705 Rockledge Drive
Bethesda, MD 20892-7982
OLAWDCO@MAIL.NIH.GOV

Dear Dr. Wolff:

RE: Animal Welfare Assurance #A3084-01

This is to follow up on the preliminary report you received via email on July 18, 2017 from [REDACTED] Secondary Individual Director, Office for Animal Care and Use (OACU) on behalf of the Animal Care and Use Committee (ACUC) regarding an animal welfare incident with two bats that died at our institution. As noted in her email, this incident has been reported to the USDA also.

The incident involved two bats that apparently had remained hidden (undetected) in the transport cage after routine colony weighing procedures the week before. The bats were found on June 30, 2017. A subsequent thorough investigation by the ACUC determined that it was a serious noncompliance with PHS Policy on Humane Care and Use of Laboratory Animals. The PI in consultation with the AV, immediately revised and implemented a new weighing procedure for ensuring compliance and animal welfare in all future experiments and the ACUC accepted this plan.

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

As Institutional Official, I am satisfied that the campus has spared no resources in resolving this unfortunate incident and thereby has fulfilled its commitment to maintaining the highest standards of animal welfare, as described in our Animal Welfare Assurance.

Sincerely yours,

G. Steven Martin
Interim Vice Chancellor for Research
Institutional Official

Wolff, Axel (NIH/OD) [E]

From: Wolff, Axel (NIH/OD) [E]
Sent: Tuesday, December 05, 2017 12:22 PM
To: Secondary Individual
Subject: RE: OLAW report

Thank you for this report, Secondary Individual I will send a response soon.
Axel Wolff

From: Secondary Individual [mailto:Secondary Individual@berkeley.edu]
Sent: Tuesday, December 05, 2017 12:10 PM
To: Wolff, Axel (NIH/OD) [E] <wolffa@od.nih.gov>
Cc: Gregory Lawson <glawson@berkeley.edu>; Secondary Individual@berkeley.edu
Subject: Re: OLAW report

Dr. Wolff,
Please see the attached final report from UCB for this incident.
Sincerely,

Secondary Individual

On Mon, Nov 20, 2017 at 6:42 AM, Wolff, Axel (NIH/OD) [E] <wolffa@od.nih.gov> wrote:

Hi Secondary Individual

During OLAW's record review, we noticed that there is no final report for the July 18, 2017 preliminary report you provided regarding the death of 2 bats. Please send me an interim or final by the end of the week.

Thank you.

Axel Wolff

--
Secondary Individual

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

Wolff, Axel (NIH/OD) [E]

From: Wolff, Axel (NIH/OD) [E]
Sent: Monday, November 20, 2017 11:34 AM
To: Secondary Individual
Subject: RE: OLAW report

Sure, I understand. I'm trying to close out these older cases as soon as possible.
Axel

From: Secondary Individual [mailto:ary.l@berkeley.edu]
Sent: Monday, November 20, 2017 11:22 AM
To: Wolff, Axel (NIH/OD) [E] <wolffa@od.nih.gov>
Subject: Re: OLAW report

Dr. Wolff,
Given that UCB is on holiday for Thanksgiving I can't promise you'll have a final letter by FRI but for sure early next week.

Sincerely,
Secondary Individual

On Mon, Nov 20, 2017 at 6:42 AM, Wolff, Axel (NIH/OD) [E] <wolffa@od.nih.gov> wrote:

Hi Secondary Individual

During OLAW's record review, we noticed that there is no final report for the July 18, 2017 preliminary report you provided regarding the death of 2 bats. Please send me an interim or final by the end of the week.

Thank you.

Axel Wolff

--

Secondary Individual

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

Wolff, Axel (NIH/OD) [E]

A 3084 - 2W

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Tuesday, July 18, 2017 2:07 PM
To: Secondary Individual
Subject: RE: Report of animal deaths

Thank you for this preliminary report, Secondary Individual I will start a new case file.
Axel Wolff

From: Secondary Individual [mailto:Secondary Individual@berkeley.edu]
Sent: Tuesday, July 18, 2017 12:31 PM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: Gregory Lawson <glawson@berkeley.edu>; Secondary Individual@berkeley.edu; Acuc Departmental <acuc@berkeley.edu>
Subject: Report of animal deaths

Hello Dr. Wolff:

The following report was made yesterday to our USDA VMO, Secondary Individual and we are sending it on to OLAW also. Secondary Individual has acknowledged receipt and said she'd review the situation at her next visit.

Good Morning Secondary Individual

This email is sent on behalf of UC Berkeley's IO to notify that on the morning of June 30, 2017, two fruit bats were discovered deceased inside of a transport cage. The two bats apparently had remained hidden (undetected) in the transport cage after routine colony weighing procedures the week before. The PI and OLAC veterinary staff were immediately notified. A gross necropsy was done by an OLAC veterinarian and tissues preserved for histologic examination. The veterinarians and PI have discussed and developed a new SOP to ensure that this does not happen again. The ACUC has not met since this incident occurred but they will be notified of it at the next meeting and determine what if any, other actions need to be taken.

If you have any questions, please feel free to contact me or our attending veterinarian, Dr. Greg Lawson.

There is no NIH/PHS funding supporting the bats that died. A final report will be sent by our IO to OLAW after our IACUC has discussed this incident at their next meeting. If you have any questions, please let me or Dr. Lawson know.

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!****