USDA-APHIS-Animal Care

ANIMAL WELFARE COMPLAINT

Complaint No.	Date Entered:	Processed By:
AC19-293	23-May-19	GCA

Referred To:	Reply Due:
White/Garland	24-Jun-19

Facility or Person Complaint Filed Against

Name:	Customer No.:	License No.:
B T S Research	322137	93-R-0532

Address:	Email Address:
10635 Roselle St Ste H	

City:	State:	Phone No.:
San Diego	CA	858-605-5882

Complainant Information

Name:	Organization:
Anonymous	[redacted]

Address:	Email Address:
	[redacted]

City:	State:	Phone No.:

How was the Complaint received?
Email

Details of Complaint:
SEE ATTACHED

Results:
This complaint is in reference to inspection findings that were documented on the 3-APR-2019 inspection report. No additional information is requested or required. Additionally, the complainant references Oregon State University, which is erroneous in this case.

Application Kit Provided:
Yes: ☐ No: ☒

Inspector:	Date:
Amanda White	29-May-19
Reviewed By:	Date: 14-Jun-19

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Allums, Gina - APHIS

From:	(b) (6), (b) (7)(C), (b) (7)(D)
Sent:	Friday, May 3, 2019 3:14 PM
To:	Gibbens, Robert - APHIS
Cc:	AC West
Subject:	Official Complaint — BTS Research

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

Dr. Robert Gibbens
5/3/19
Director, Western Region, USDA/APHIS/AC,
2150 Center Ave.
Building B, Mailstop 3W11
Fort Collins, CO 80526-8117

Dr. Gibbens,

I am writing to you today to file an Official Complaint against BTS Research (93-R-0532), for clear violations of the Animal Welfare Act.

As you know, BTS Research was recently cited for what may the crushing/suffocation death of a non-human primate who had become trapped in the squeeze mechanism of a cage which had not been locked down. This citation was issued during a 4-3-19 USDA inspection. The squeezing of this monkey for an extended period (overnight) would have caused extreme pain and discomfort. While the injuries were not disclosed in what must have been a botched post-mortem, they must have been traumatic in nature.

As you also know, BTS Research previously received an Official Warning for improperly confining non-human primates in restraint chairs. This confinement also likely caused extreme discomfort for these animals, and was documented photographically by a USDA inspector. These disturbing photos were obtained by [redacted] via FOIA and are available on the [redacted] website here: (b) (6), (b) (7)(C), (b) (7)(D) news-media-news-2018/BTS-photos-2-21-18.html

The Official Warning for these previous violations is included in this complaint.

I know that your office considers major violations of the Animal Welfare Act to be very serious in nature. Since BTS Research has demonstrated a history of animal abuse and serious violations, I must insist that you take the most severe action allowable under the Animal Welfare Act and immediately begin the process of issuing the maximum fine allowable against the Oregon State University at the completion of your investigation -- $10,000 per infraction, per animal.

Please see the attachments to this email for the relevant documents.

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U

An

B T S Research

P.O. Box 910418

San Diego, CA 92191

3.80(a)(2)(ii) CRITICAL

PRIMARY ENCLOSURES.

A cynomolgus macaque was found decea

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UNITED STATES DEPARTMENT OF AG
ANIMAL AND PLANT HEALTH INSPECT

OFFICIAL WARNING
VIOLATION OF FEDERAL REG

The U.S. Department of Agriculture has
organization committed violations of the

Date(s): November 12, 2015

§2.33(b)(5) Attending veterinarian and

Each research facility shall establis
adequate pre-procedural and post-procedu
and nursing procedures.

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I look forward to hearing from you in the near future about the fate of this facility.

Sincerely,

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

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

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

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United States Department of Agriculture

Animal and Plant Health Inspection Service

Animal Care
4700 River Road
Riverdale, MD 20737

May 23, 2019

(b) (6), (b) (7)(C), (b) (7)(D)
[redacted]

Dear Complainant,

Thank you for your correspondence dated 23-Mar-19. We are reviewing your concerns and assigned tracking number AC19-293. Please allow us enough time (30 to 60 days) to thoroughly look into your concerns. You may submit a request to the Animal and Plant Health Inspection Service (APHIS) Freedom of Information Act (FOIA) office to obtain any publically available information regarding our review.

FOIA Requests can be submitted three ways:

1. Web Request Form: https://efoia-pal.usda.gov/App/Home.aspx
2. Fax: 301-734-5941
3. US Mail:
   USDA- APHIS- FOIA
   4700 River Road, Unit 50
   Riverdale, MD 20737

Should you have any questions regarding the APHIS FOIA process or need assistance using the Web Request Form **please contact the APHIS FOIA office at 301-851-4102**.

Animal Care is a program within the U.S. Department of Agriculture (USDA) that directs activities to ensure compliance with and enforcement of the Animal Welfare Act and the Horse Protection Act. Animal Care establishes standards of humane treatment for regulated animals and monitors and achieves compliance through inspections, enforcement, education, and cooperative efforts under the Acts.

Please be assured that we will look into your concern(s) and take appropriate action(s).

Thank you for your interest into the humane treatment of these animals.

Sincerely,

Elizabeth Goldentyer

Betty Goldentyer
Associate Deputy Administrator
Animal Care

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Allums, Gina - APHIS

From:	Microsoft Outlook
To:	(b) (6), (b) (7)(C), (b) (7)(D)
Sent:	Tuesday, May 28, 2019 11:32 AM
Subject:	Relayed: Open Complaint AC19-293

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

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

Subject: Open Complaint AC19-293

Open Complaint
AC19-293

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