

# Reporting Animal Welfare Concerns



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

National Institutes of Health  
Bethesda, Maryland 20892

March 26, 2010

TO: Addressees

FROM: Deputy Director for Intramural Research, National Institutes of Health

SUBJECT: Communicating Animal Care and Use Concerns within the NIH Intramural Research Program

As the NIH Institutional Official (IO) for Intramural animal research this memorandum reaffirms my commitment to maintain full and open communications regarding animal care and use in the NIH Intramural Research Program (IRP). I feel strongly that all IRP staff must clearly and thoroughly understand NIH management and administrative practices to best enhance our research environment. The care and use of animals in NIH research requires compliance with Federal laws, regulations and policies.

I strongly encourage anyone in the NIH IRP, including NIH employees and contractors, who have concerns regarding the care and use of animals in research at NIH to voice those concerns. The concerns may be reported anonymously to me, and/or the Director, Office of Animal Care and Use. Additionally, any animal welfare concern can be reported to the members of the Institutes/Centers (IC) Animal Care and Use Committees (ACUC) or to the IC Facility Veterinarians. Concerns relayed through any of these routes will be reviewed by the respective IC ACUC and corrective measures instituted, if appropriate.

The OACU Director assists me in assessing all concerns. My office determines the level at which the concern is pursued, including involving the Animal Research Advisory Committee (ARAC) Ombudsman, who can mobilize further resources as outlined in the ARAC Guideline: Responding to Animal Care and Use Complaints from Outside the NIH, [http://oacu.od.nih.gov/ARAC/documents/Complaint\\_Response.pdf](http://oacu.od.nih.gov/ARAC/documents/Complaint_Response.pdf).

The Office of Laboratory Animal Welfare (OLAW) issued reporting guidance in 2005. Any of the following incidents (extracted from OLAW's guidance) must be reported promptly to one of the responsible individuals described above. OLAW guidance: <http://grants.nih.gov/grants/guide/notice-files/NOT-OD-05-034.html>

Reportable incidents include:

- Conditions that jeopardize the health or well-being of animals, including natural disasters, accidents, and mechanical failures, resulting in actual harm or death to animals;
- Conduct of animal-related activities without appropriate ACUC review and approval;
- Failure to adhere to ACUC-approved protocols;
- Implementation of any significant change to ACUC-approved protocols without prior ACUC approval;
- Conduct of animal-related activities beyond the expiration date established by the ACUC;
- Chronic failure to provide space for animals in accordance with recommendations of the Guide;
- Participation in animal-related activities by individuals who have not been appropriately trained;
- Failure to monitor animals post-procedurally as necessary to ensure well-being;
- Failure to maintain appropriate animal-related records (e.g., identification, medical, husbandry);
- Failure to ensure death of animals after euthanasia procedures;
- Failure of animal care and use personnel to carry out veterinary orders (e.g., treatments).

**If you are uncertain about whether an incident or activity should be reported, please report it.**

Upon notification of an incident, and following my review of the results of any related investigation, I will report noncompliant activities and the resultant corrective actions to OLAW.

In summary, I strongly encourage any individual who has concerns related to the use of animals in research at NIH to voice those concerns. I stress that NIH will not tolerate any reprisal against an individual who has come forward with concerns involving the care and use of animals. Individuals who feel that a personnel action has been taken against them because they reported an apparent violation of animal care and use requirements, should present their case to their supervisor, their IC Director, the NIH Director, the Office of the Inspector General, or the Office of Special Counsel.

Please direct questions or comments regarding the intent or contents of this memorandum to me or to the Director, Office of Animal Care and Use, telephone: 301-496-5424.

  
Michael M. Gottesman, M.D.

Addressees:  
IC Directors and Scientific Directors  
IC Lab/Branch Chiefs  
IC ACUC Members and Animal Program Directors  
IC Facility Veterinarians and Animal Facility Managers  
Animal Care Staff Members  
NIH IRP Principal Investigators and Animal Users