



APR 28 2010

**CERTIFIED MAIL  
RETURN RECEIPT**

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

University of Kansas Medical Center

3901 Rainbow Blvd.  
1040 Wescoe Pavillion - MS2014  
Kansas City, KS 66160

Dear Sir(s):

Animal and Plant Health Inspection Service (APHIS) enforces regulations to protect the health and care of animals, plants, and agricultural industry. Violations of these regulations jeopardize the animal and plant health systems that are vital to protect American agriculture.

Our investigation shows that you have violated the United States Code of Federal Regulations as described on the enclosed Stipulation. APHIS laws and regulations provide for administrative and criminal penalties to enforce these regulatory requirements, including civil penalties of \$125,000 for the violations documented in our investigation.

The Secretary of Agriculture may, after providing notice and opportunity for a hearing, impose civil penalties or other sanctions. You may, however, waive your right to a hearing and settle this matter by paying \$62,500 by June 07, 2010 and signing the enclosed Stipulation.

Please pay the \$62,500 penalty by certified check or money order made payable to the Treasurer of the United States. Write the Case Number (KS09015-AC) on your check or money order and mail it with the signed Stipulation to:

USDA, APHIS, (General) (KS09015-AC)  
P. O. Box 979043  
St. Louis, MO 63197-9000

If we do not receive your signed stipulation agreement and payment or notice that you wish to exercise your right to a hearing by June 07, 2010, this matter will be forwarded to the Department's Office of the General Counsel (OGC) for litigation. Please know that the penalty offered in this Stipulation represents a fraction of the civil penalty APHIS may seek should we refer this matter to OGC. You may contact our office at telephone number (301) 734-8684 if you have any questions.

Sincerely,



FOR

Bernadette Juarez  
Deputy Director  
Investigative and Enforcement Services

Enclosure



Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Program  
An Equal Opportunity Provider and Employer

APR 28 2010

4-28-10 emailed Tims.  
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**Investigative and Enforcement Services**

**Settlement Agreement**

USDA, APHIS, IES  
 4700 River Road, Unit 85  
 Riverdale, MD 20737  
 Phone: (301) 734-8684  
 Fax: (301) 734-4328

**RESPONDENT:**  
**University of Kansas Medical Center**  
 [Redacted]  
**3901 Rainbow Blvd.**  
**1040 Wescoe Pavillion – MS2014**  
**Kansas City, KS 66160**

**CASE NUMBER** **KS09015-AC**  
**DUE ON OR BEFORE** June 7, 2010  
**CONTACT** Ms [Redacted]  
**PHONE** (301) 734-[Redacted]

DATE	CITATION	DESCRIPTION
		See Attached Pages (Page 1 of 7)

**PENALTY** \$ 62,500. **TERMS**

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

**Signature of Respondent:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**PAYMENT RECORD - FOR IES USE ONLY**

Payment Type	Date	Amount	Signature of IES Representative

T04 – Settlement Agreement  
 Revised 11/15/05

<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
10-MAR-2009	2.31(d)(2)(iv)(B)	<b>Institutional Animal Care and Use Committee (IACUC).</b> For protocol 2007:1688 failed to include planning and consultation with the attending veterinarian on procedures that may cause more than momentary or slight pain and/or distress to animals.
	2.33(b)(2)	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care. APHIS observed the following: 1) An investigator cart in procedure room [REDACTED] that contained expired drugs (8 vials) of ketamine (expiration date 6/08) and one bottle of Nembutal Sodium Solution/Pentobarbital 50 mg/ml (exp. 9/1/08) also, butterfly catheters were stored in a drawer with an aerosol can of "Clipperside" spray. 2) In procedure room [REDACTED] housing 4 macaques, a bottle of children's chewable vitamins were stored immediately adjacent to cleaning solutions. 3) In room [REDACTED] an oral pill dispenser was observed being stored in a container with grooming supplies including nail clippers and a comb. A large white rabbit was observed with a persistent, abnormal head tilt to the right. 4) In room [REDACTED], an oral dispensing tube of Panacur (Fenbendazole) was being stored on a soap dispenser adjacent to cleaning chemicals. 5) A macaque was observed with red to brown colored crusty discharge around the resin on his surgically placed acrylic head cap. 6) Twenty six nonhuman primates were observed to have hair loss and/or excessive scratching.
	2.33(b)(3)	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the daily observation of all animals to assess their health and well-being. APHIS observed several animals that had medical problems that had not been documented by animal caretakers nor communicated to the veterinary staff including a white rabbit (in room [REDACTED] with a persistent, abnormal head tilt to the right; twenty six non human primates with varying amounts of hair loss and excessive scratching, including one animal that was thin.
	3.56(c)	<b>Sanitation. Housekeeping.</b> Failed to keep premises (building and grounds) clean and in good repair in order to protect animals from injury and to facilitate prescribed husbandry practices. The refrigerator room [REDACTED] was observed with a thick layer of brown to tan dusty material on top. There was also a large quantity of spilled bedding present. In room [REDACTED] there was an uncovered trash can containing waste material.

<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
10-MAR-2009	3.75(a)	<p><b>Housing Facilities, general. Structure. Construction.</b> Failed to provide housing facilities for nonhuman primates that are designed and constructed to be structurally sound, kept in good repair, and to protect the animals from injury. APHIS observed cages (18 squirrel monkeys) in room [REDACTED] had a two inch by four inch opening at the front of the enclosures risking injury to the animal. The following non human primate rooms had drain covers that had been removed for cleaning and not replaced: room [REDACTED] (2 squirrel monkeys); room [REDACTED] (4 macaques); room [REDACTED] (17 squirrel monkeys); room [REDACTED] (11 squirrel monkeys in front, 11 in back); and room [REDACTED] (18 squirrel monkeys).</p>
	3.75(c)(1)	<p><b>Housing Facilities, general. Surfaces. General Requirements.</b> Failed to provide surfaces in housing facilities that are constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. In room [REDACTED] (housing 10 macaques), the drywall behind the hose was observed bowing out and had a roughened surface with peeling paint. This area is no longer impervious to moisture and can no longer be effectively cleaned and sanitized.</p>
	3.75(f)	<p><b>Housing Facilities, general. Drainage and waste disposal.</b> Failed to provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, dead animals, debris, garbage, water, and any other fluids and wastes, in a manner that minimizes contamination and disease risk. APHIS observed several rooms housing nonhuman primates in which the trash cans were not covered. Rooms with uncovered or partially uncovered trash cans included: [REDACTED] (4 macaques) [REDACTED] (10 macaques), [REDACTED] (6 macaques), and two trash cans on the dirty side of a cage wash used to clean nonhuman primate enclosures. Standing water was observed in the following room: [REDACTED] (housing 16 squirrel monkeys), room [REDACTED] (housing 18 squirrel monkeys), room [REDACTED] (housing 10 macaques); and room [REDACTED] (housing 3 macaques) standing water was observed on the bottom shelf of the television cart.</p>
	3.81(c)(2)	<p><b>Environment Enhancement to Promote Psychological Well-Being. Special considerations.</b> Failed to provide special attention regarding enhancement of environment, based on the needs of the individual species and in accordance with the instructions of the attending veterinarian. Twenty-six nonhuman primates had variable degrees of hair loss ranging from partial to full loss of hair on the tail to patchy hair loss on the body. An additional seven nonhuman primates were observed by APHIS to be actively picking or stripping hair from their bodies or exhibiting stereotypic behaviors such as flipping or swaying.</p>



<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
10-MAR-2009	3.81(e)(2)	<b>Environment Enhancement to Promote Psychological Well-Being.</b> Failed to appropriately exempt animals from the environmental enrichment plan. The committee approved an exemption to environment enhancement for squirrel monkeys on protocol 2007:1688; but the IACUC has not approved this exemption on an individual basis. Several squirrel monkeys had variable degrees of hair loss, which can be a sign of psychological distress.
	3.82(a)	<b>Feeding.</b> Failed to provide a diet of food that is clean, wholesome, palatable to the animals, of sufficient nutritive value for non human primates that is appropriate for the species, size, age, condition of the animal, and for the conditions in which the nonhuman primate is maintained. APHIS officials observed three containers of baby food used as treats for non human primates in the investigator lab in room G010. These containers of food were expired.
19-APR-2009	2.31(d)(5)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to conduct continuing review of activities at appropriate intervals as determined by the IACUC. Protocol 2007-1703; Protocol 2008-1735; and Protocol 2007-1680.
	2.31(e)(4)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to have a sufficiently detailed description of the procedures designed to assure that discomfort and pain to animals will be limited to that which is unavoidable. Protocol 2007-1703, a guinea pig protocol, includes conflicting information concerning the dose and/or route of administration of anesthetic and analgesic drugs.
	2.33(b)(2)	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care. APHIS officials observed the following: 1) two squirrel monkeys (ID#668 and ID#702) wearing beaded metal collars that were rusty; 2) Macaque (ID#99R1027) was prescribed acetaminophen, but was given ibuprofen instead; 3) Medical records for a male macaque (ID#99R1027) stated that the chamber had not been cleaned in 3 weeks; 4) Medical records for macaque (ID#0A0) do not document that any veterinarian performed any evaluations, physical examinations, diagnosis, or developed any treatment plan from 10/07/08 through 10/16/08; and 5) In protocol 2008-1735 failed to weigh monkeys on a regular basis to check for normal weight gain as stated in the protocol.

<u>DATE</u>	<u>CITATION</u>	<u>DESCRIPTION</u>
14-APR-2009	2.33(b)(3)	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the daily observation of all animals to assess their health and well-being. Checklists reviewed at this inspection showed that completion of daily observations (health check) were not documented on four occasions; all of which were on the weekend; Room [REDACTED] (April 11 and April 12); Room [REDACTED] April 4 and April 5).
	3.75(c)(1)	<b>Housing Facilities, General. Surfaces.</b> Failed to have facilities made of materials that allow them to be readily cleaned and sanitized as required. In room [REDACTED] housing 15 squirrel monkeys, there were areas of chipping and peeling paint on the wall in at least two areas exposing the bare cinder blocks which cannot be effectively cleaned and sanitized.
	3.75(c)(1)(i)	<b>Housing Facilities, General. Surfaces.</b> Failed to have fixtures constructed of materials that allow them to be readily cleaned and sanitized as required and free of excessive rust. A metal hook on one of the straps used to secure the perches in a squirrel monkey enclosure had rusted to the point that it could no longer be effectively cleaned and sanitized.
	3.75(e)	<b>Housing Facilities, General. Storage.</b> Failed to store supplies of food and bedding in a manner that protects the supplies from spoilage, contamination, and vermin infestation. A pallet of bedding in the second floor storage room, used to store primate feed and other animal supplies was stored against the wall, preventing the required cleaning (SOP HUSB 1 Food, Water, and Bedding Management).
	3.81(b)	<b>Environment Enhancement to Promote Psychological Well-Being.</b> Failed to develop and follow a program of monitoring and maintenance to ensure that all enrichment items for nonhuman primates are kept in good repair and can be effectively cleaned and sanitized. At least 4 metal circular discs, which are supposed to be reflective and act as mirrors to provide enrichment for the nonhuman primates were scratched to the point that the surface was no longer reflective. At least three "chew toys" observed to be chewed to the point that the surface was extremely grooved and pitted to the point that they could no longer be effectively cleaned and disinfected.

<u>DATE</u>	<u>CITATION</u> <u>9 CFR</u>	<u>DESCRIPTION</u>
14-APR-2009	3.81(c)(2)	<b>Environment Enhancement to Promote Psychological Well-Being, Special Considerations.</b> Failed to provide special attention regarding enhancement of their environment, based on the needs of the individual species and in accordance with the instructions of the attending veterinarian. Several nonhuman primates had variable degrees of hair loss ranging from partial to full loss of hair on the tail to patchy hair loss on the body; several were observed by APHIS to be actively picking and showing signs of possible psychological distress.
	3.125(c)	<b>Facilities, General. Storage.</b> Failed to develop and follow a program that ensures that all supplies of food and bedding are stored in facilities which adequately protect such supplies from deterioration, molding, or contamination by vermin. The ground floor storage room used to store gerbil bedding was nearly filled with pallets of bedding leaving only a small open area at the entrance of the room, preventing the required cleaning (SOP HUSB 1 Food, Water, and Bedding Management).
30-JUN-2009	2.31(d)(5)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to conduct continuing review of activities at appropriate intervals as determined by the IACUC. Investigators for Protocol 2008-1735 are not conducting animal activities as delineated in the IACUC approved protocol. MRI anesthetic procedures states that nonhuman primates will be tranquilized with ketamine. The laboratory written procedure for MRI utilized by the laboratory staff states that the animals are given a full dose of ketamine followed by a "Dormitor" for transport, which is then followed by a ½ dose of ketamine every 30 minutes thereafter.
	2.31(e)(2)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to ensure that all protocols include an appropriate rationale for the number of animals to be use. Protocol 2009-1796 did not contain a scientific justification for the appropriateness of the number of animals being used.
	2.31(e)(3)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to provide a complete description of the proposed use of the animals to facilitate the evaluation of the protocols by the IACUC. Protocol 2007-1680 did not contain a complete description of the proposed use of the animals.

<u>DATE</u>	<u>CITATION</u>	<u>DESCRIPTION</u>
30-JUN-2009	2.33(b)(2) 9 CFR	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care. Animal records showed that medications were not administered as prescribed by the veterinarian: Macaque #AV82- four missed doses of metronidazole; macaques #5A9, 5A3, 702, 3A1- missed one dose metronidazole; macaque #99R1837 missed one dose cephalexin; and squirrel monkey #11F - missed one dose "Rimadyl".

**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**ANIMAL AND PLANT HEALTH INSPECTION SERVICE**  
**INVESTIGATIVE AND ENFORCEMENT SERVICES**

**REPORT OF INVESTIGATION**

**Case Number:** KS09015-AC

**Subject(s):** University of Kansas Medical  
*(Contact Information)* Center



**Investigator:** [Redacted]  
*(Contact Information)* USDA APHIS IES  
2150 Centre Avenue  
Bldg B 3W10  
Fort Collins Colorado 80526  
970-494 [Redacted]  
620-202 [Redacted]

[Redacted]  
USDA APHIS IES  
2150 Centre Avenue  
Bldg B 3W10  
Fort Collins Colorado 80526  
970-494 [Redacted]  
573-352 [Redacted]

[Redacted]  
USDA APHIS IES  
2150 Centre Avenue  
Bldg B 3W10  
Fort Collins Colorado 80526  
970-494 [Redacted]  
573-233 [Redacted]

**Date of Report:** 02/18/10

- Substantiated allegation(s)**
- No violation(s)**

- Insufficient evidence**
- Fact finding**
- Contains Confidential Business Information**

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Reviewer(s) \_\_\_\_\_



**SYNOPSIS**

USDA APHIS Animal Care conducted five inspections at the University of Kansas Medical Center (UKMC) Kansas City, Kansas on 8/27/08, 12/18/08, 3/10/09, 4/14/09, and 6/30/09. The USDA APHIS AC inspections document UKMC's failure to submit an Annual Report and their repeated failure to provide veterinary care; cleaning and facility maintenance; Institutional Animal Care Use Committee (IACUC) oversight, feeding, sanitation, drainage and waste disposal, primary enclosures, numerous violations that affect the psychological well being of nonhuman Primates, and an inadequate number of properly trained employees.

**BACKGROUND**

**Subject(s) Information**

UKMC is registered with USDA as a Research Facility with registration number 48-R-0003 (Exhibit 1). UKMC's 2009 Annual Report to USDA lists [REDACTED] as their Institutional Official (Exhibit 2). UKMC is a Division of the University of Kansas Center for Research (Exhibit 3). The University of Kansas Center for Research is registered with the Kansas Secretary of State as a Not for Profit Corporation, corporation number 0031468 (Exhibit 4).

**Subject(s) Previous History**

*Prior Enforcement Actions*

A review of the IES Tracking System shows no previous history for UKMC.

*Prior Adjudications*

N/A

**NARRATIVE**

**Basis for Investigation**

On 4/14/09, Dr. Robert Gibbens, Director Western Region USDA APHIS AC, requested USDA APHIS IES initiate an investigation of UKMC for: repeated failure to provide adequate veterinary care, repeated failure to properly clean and maintain facilities, numerous IACUC oversight violations, numerous violations that affect the psychological well-being of nonhuman Primates, and an inadequate number of properly trained employees (Exhibit 5).

**Investigative Findings**

**August 27, 2008**

On 8/27/08 Dr. Katheryn Ziegerer (USDA APHIS AC Veterinary Medical Officer (VMO)) and Dr. Jamilon Niemann (USDA APHIS AC VMO) conducted an inspection at UKMC (Exhibit 6) and documented the following non-compliant items:

UKMC – IACUC failed to provide a specific plan and schedule for correction dates on deficiencies identified in the IACUC Fall 2007 and Spring 2008 Facility Reviews (Exhibit 7-8).

Adequate Veterinary Care - UKMC failed to provide adequate veterinary care for nonhuman primates.

Feeding - UKMC failed to provide wholesome food for guinea pigs.

Housekeeping - UKMC failed to provide adequate housekeeping of rabbit housing facilities; Inspection Photographs (Exhibit 9).

Structure, Construction - UKMC failed to maintain the surfaces in nonhuman primate housing facilities; Inspection Photographs (Exhibit 10).

Surfaces, General Requirements - UKMC failed to maintain the surfaces of nonhuman primate housing facilities so that they were impervious to moisture. Inspection Photographs (Exhibit 11).

Drainage and Waste Disposal - UKMC failed to provide adequate drainage and waste disposal for necropsy samples and medications. Inspection Photographs (Exhibit 12).

Feeding - UKMC failed to provide wholesome for nonhuman primates as the enrichment foods being fed were expired.

**December 18, 2008**

On 12/18/08 Dr. Ziegerer conducted an inspection of UKMC (Exhibit 13). Dr. Ziegerer documented the UKMC Annual Report dated 11/12/08 (Exhibit 14 (Section 9.E)) failed to include two exemptions to the AWA which had been approved by UKMC IACUC Committee (Exhibit 15 (Section 11.1 and 11.8.5)).

**March 10, 2009**

On 3/10/09 Dr. Ziegerer and Dr. Tanya Tims (USDA APHIS AC Supervisory Veterinary Medical Officer (SVMO)) conducted an inspection of UKMC (Exhibit 16) that documented the following non-compliant items:

UKMC IACUC – IACUC Committee Minutes dated 10/16/07 and 11/20/07(Exhibit 17 (Section 5.0) and Exhibit 18 (Section 6.0)) approved Protocol 2007-1688, the PI failed to include planning and consultation with the attending veterinarian on procedures that cause more than momentary or slight pain or distress to animals.

UKMC IACUC – IACUC Committee Minutes dated 10/16/07 and 11/20/07(Exhibit 17 (Section 5.0) and Exhibit 18 (Section 6.0)) approved Protocol 2007-1688 (Exhibit 19 (Section 6.1)) that failed to justify by scientific reason the use of an animal in more than one major operative procedure.

UKMC IACUC – IACUC Committee Minutes dated 10/16/07 and 11/20/07(Exhibit 17 (Section 5.0) and Exhibit 18 (Section 6.0)) approved Protocol 2007-1688 (Exhibit 19 (Section 6.1)) that failed to justify for scientific reasons procedures that may cause more than momentary or slight pain or distress to the animal.

UKMC IACUC failed to conduct appropriate reviews of animals activities to ensure the Protocol 2007-1688 (Exhibit 19 (Section 9.0)) manipulative environment enhancement exemption has not had a negative impact on the welfare of the animals; and failed to conduct appropriate reviews of animals activities to ensure the 10-30 minute monitoring of non-human primates that had transferred from the surgical table to the incubator Protocol 2007-1688 (Exhibit 19 (Section 6.3.5)) and Laboratory Animal Record #1911 (Exhibit 20). Principal Investigator Dr. [REDACTED] responded (Exhibit 21) to this item.

UKMC IACUC failed to make recommendations to the Institutional Official regarding any aspect of the animal facility. UKMC IACUC Meeting Minutes 3/24/08, 4/14/08, 5/20/08, 6/17/08, 7/15/08 and 8/19/08 (Exhibits 22-27) indicate increased research activity has exceeded the existing infrastructure;

UKMC IACUC failed to ensure the principal investigators for Protocol 2007-1688 (Exhibit 19 (Section 5.3)) and Protocol 2007-1686 (Exhibit 28 (Section 5.3)) considered alternatives to procedures that may cause more than momentary or slight pain or distress to the animal. Dr. Ziegerer by affidavit (Exhibit 29) and Protocol 2007-1686 Principal Investigator Dr. [REDACTED] by response (Exhibit 30) provide additional response to this item.

UKMC IACUC failed to ensure Protocol 2007-1688 (Exhibit 19 (Section 5.3, 6.3.4, 6.3.5)) was designed to assure that discomfort and pain to animals are limited in sufficient detail for the IACUC to

determine whether or not the procedures are adequate to protect the welfare of the animals. Dr. Ziegerer provides additional response to this item ([Exhibit 29](#)).

UKMC IACUC failed to ensure a complete description of the proposed use of the animals and is not specific on how many major survival surgeries each animal will undergo prior to euthanasia Protocol 2007-1688 ([Exhibit 19 \(Section 6.1\)](#)); Adequate Veterinary Care – documents numerous non-compliant veterinary care issues Inspection Photographs ([Exhibit 31](#)). Dr. Ziegerer provides additional response to this item ([Exhibit 29](#)).

Adequate Veterinary Care - UKMC failed to establish and maintain adequate programs of daily observation of animal Husbandry Room Checklists ([Exhibit 32](#)).

Annual Report – UKMC did not report any nonhuman primates on the Annual Report ([Exhibit 33](#)) upon which experiments, research, surgery, or tests were conducted involving pain or distress to the animals for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results or interpretation of the teaching, research, experiments, surgery or tests. UKMC Amended Annual Report 4/3/09 ([Exhibit 34](#)) and Protocol 2007-1688 ([Exhibit 19 \(Section 5.3\)](#)) documents inaccurate pain classifications.

Annual Report – UKMC did not report at least thirty two nonhuman primates on the annual report as being bred, conditioned or held ([Exhibit 33](#)). UKMC Amended Annual Report 4/3/09 ([Exhibit 34](#)) lists three dogs, five guinea pigs, twenty hamsters and twenty three nonhuman primates as being bred, conditioned or held. Dr. Ziegerer provides additional response to this item ([Exhibit 29](#)).

UKMC 2008 Annual Report Amendment ([Exhibit 35](#)) documents UKMC IACUC approved an exemption to housing standards to allow one nonhuman primate to be housed in an enclosure that did not meet minimum height requirements was in effect for approximately one month. IACUC Meeting Minutes March-May 2008 documents IACUC exemption approval more than one month ([Exhibit 23-25](#)).

Facilities, General – Structural Strength, Inspection Photographs ([Exhibit 36](#)) document UKMC failed to ensure housing facilities were kept in good repair.

Sanitation – Housekeeping, Inspection Photographs ([Exhibit 37](#)) document UKMC failed to keep facilities free of clutter, spilled feed, unused items, and open trash containers.

Sanitation – Pest Control; UKMC failed to have an adequate program for the control of insects.

Employees - UKMC failed to have appropriately trained employees in regards to proper sanitation practices.

Housing Facilities – Structure- Construction, Inspection Photographs ([Exhibit 38](#)); UKMC failed to maintain housing facilities for nonhuman primates which were structurally and protected the animals from injury.

Housing Facilities – Surfaces, Inspection Photographs ([Exhibit 39](#)); UKMC failed to maintain the surfaces of housing facilities in good repair and could be readily cleaned and sanitized.

Housing Facilities – Storage, Inspection Photographs (Exhibit 40); UKMC failed to properly store cleaning and food supplies.

Housing Facilities – Drainage/Waste Disposal, Inspection Photographs (Exhibit 41); UKMC failed to have adequate drainage and waste disposal systems to rapidly remove standing water.

Housing Facilities – Surfaces – Cleaning, Inspection Photographs (Exhibit 42); UKMC failed to adequately clean and sanitize housing facility surfaces and primary enclosures of nonhuman primates.

Housing Facilities – Surfaces, Inspection Photographs (Exhibit 43). UKMC failed to maintain housing facility surfaces which were free of rust and could be adequately cleaned and sanitized.

Primary Enclosures, Inspection Photographs (Exhibit 44); UKMC failed to provide the minimum space requirements for nonhuman primates. Dr. Ziegerer provides additional response to this item (Exhibit 29).

Environment Enhancement – Social Grouping, SOP PROG 8 (Exhibit 45); UKMC failed to address the group and social housing requirements for nonhuman primates which live in social groups in the wild.

Environment Enhancement – Environmental Enrichment, Inspection Photographs (Exhibit 46); UKMC failed to provide environmental enrichment items and toys which were in good repair.

Environment Enhancement – SOP PROG 8 (Exhibit 45) and Protocol 2007-1688 (Exhibit 19 (Section 9.0)). UKMC failed to provide adequate environment enhancement items for nonhuman primates.

Environment Enhancement – Special Considerations, SOP PROG 8 (Exhibit 45); UKMC failed to house nonhuman primates in a manner which allowed the animals to be visible to each other.

Environment Enhancement – Exemptions, Protocol 2007-1688 (Exhibit 19 (Section 9.0)) and IACUC Committee Meeting Minutes (Exhibit 47 and 23.); UKMC failed to approve environment enhancement exemptions on an individual animal basis and failed to review the exemptions to ensure animals were not negatively affected.

Environment Enhancement – Special Considerations; UKMC failed to develop and follow an enhancement plan for nonhuman primates which were exhibiting signs of psychological distress.

Feeding, Inspection Photographs (Exhibit 48); UKMC failed to provide wholesome food to nonhuman primates as treats being fed were past their expiration dates.

Sanitization, Inspection Photographs (Exhibit 49); UKMC failed to adequately sanitize primary enclosures as the cagewash was incapable of reaching 180 degrees F.

Housekeeping, Inspection Photographs (Exhibit 50); UKMC failed to provide adequate housekeeping in nonhuman primate housing facilities.

Pest Control, Inspection Photographs (Exhibit 51); UKMC failed to have an effective program for the control of rodents.



Employees; UKMC failed to have a sufficient number of adequately trained employees to provide for the proper care and handling of nonhuman primates.

Facilities – Storage, Inspection Photographs (Exhibit 52); UKMC failed to properly store supplies of hay.

Sanitation, Inspection Photographs (Exhibit 53); UKMC failed to adequately clean and sanitize gerbil enclosures as the cagewash was incapable of reaching 180 degrees F.

Pest Control, Inspection Photographs (Exhibit 54); UKMC failed to have an effective program for the control of pests in the gerbil storage room.

Housekeeping, Inspection Photographs (Exhibit 55); UKMC failed to provide adequate housekeeping in the housing facilities of gerbils.

Employees; UKMC failed to have a sufficient number of adequately trained employees to provide the professionally acceptable level of husbandry practices.

April 14, 2009

On 4/14/09 Dr. Ziegerer and Dr. Ruth Bakker (USDA APHIS AC VMO) conducted an inspection (Exhibit 56) at UKMC that documented the following non-compliant items:

UKMC IACUC – Protocol 2008-1735 (Exhibit 57 (Section 5.3)) and Protocol 2008-1703 (Exhibit 58 (Section 5.3)) and Protocol 2008-1680 (Exhibit 59 (Section 5.3)) do not include terms that relate to the procedures that may cause more than momentary or slight pain or distress to the animals. Protocol 2008-1735 Principal Investigator response (Exhibit 60), Protocol 2008-1703 Principal Investigator response (Exhibit 61). Protocol 2008-1680 Principal Investigator response (Exhibit 62).

UKMC IACUC failed to ensure personnel conducting procedures on regulated species must be appropriately qualified and trained. Protocol 2008-1703 (Exhibit 58 (Section 6.9)), Protocol 2008-1703 Principal Investigator and Research Assistant Training Records (Exhibit 63) and response (Exhibit 61).

UKMC IACUC conduct appropriate reviews of animal activities to ensure the principle investigators are conducting animal activities as delineated in Protocol 2007-1703 (Exhibit 58 (Section 5.3) (Section 6.3.3)(Section 6.9)), Protocol 2008-1735 (Exhibit 57 (Section 6.6)(Section 6.1)), Protocol 2008-1680 (Exhibit 59 (Section 6.1) (Section 6.4.2)(Section 6.5)), Lab Animal Records B5-AL11 and B4-2A0 and B2-4A4 and A5-3A5 and A2-5A9 and C1-57Z and C2-5A# (Exhibit 64), Protocol 2008-1703 Principal Investigator response (Exhibit 61), Protocol 2008-1735 Principal Investigator response (Exhibit 60), Protocol 2008-1680 Principal Investigator response (Exhibit 62).

UKMC IACUC failed to ensure that all protocols include an appropriate rationale for the number of animals to be used. Protocol 2007-1680 (Exhibit 59 (Section 5.3) (Section 6.1)) and Protocol 2008-1680 Principal Investigator [REDACTED] response (Exhibit 62).

UKMC IACUC approved protocols that did not contain a complete description of the proposed use of the animals. Protocol 2008-1703 (Exhibit 58) and Protocol 2008-1703 Principal Investigator [REDACTED] response (Exhibit 61). Protocol 2007-1680 (Exhibit 59 (Section 6.1)) and Protocol 2008-1680 Principal Investigator [REDACTED] response (Exhibit 62), Protocol 2008-1735 (Exhibit 57 (Section 6.1)) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60).

UKMC IACUC – approved protocols that did not include a sufficiently detailed description of the procedures designed to assure that discomfort and pain to animals will be limited to animals to that which is unavoidable. Protocol 2007-1703 (Exhibit 58 (Section 6.3.5)) and Protocol 2008-1703 Principal Investigator [REDACTED] response (Exhibit 61).

UKMC IACUC failed to ensure that all protocols to conduct an activity involving animals contain an appropriate description of the method of euthanasia to be used. Protocol 2008-1735 (Exhibit 57 (Section 6.9)(Section 12.0)(Section 6.1)) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60).

Personnel Qualification – UKMC failed to ensure all individuals involved in animal care, treatment and use must be qualified to perform their duties and appropriately trained. SOP 5 Personnel Training (Section 3.5) (Exhibit 65) and Protocol 2008-1735 Principal Investigator [REDACTED] Training Record (Exhibit 66).

Adequate Veterinary Care; UKMC failed to maintain a program of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose and treat animals. Inspection Photographs (Exhibit 67), Laboratory Animal Record for #99R1027 dated 10/14/08 and 12/7/08 (Exhibit 68), Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60), Laboratory Animal Records #0A0 dated 10/7/08 and 10/15-17/08 (Exhibit 69), Research Assistant emails on #0A0 dated 10/8/08 and 10/16/08 (Exhibit 70), Investigator Records #0A0 dated 7/21/08 and 10/15/08 document a 22% weight loss (Exhibit 71), Laboratory Animal Records #3A0 dated 10/7/08, 10/9/08, 10/10/08 (Exhibit 72) and Principal Investigator [REDACTED] and Research Assistant emails dated 10/9/08 and 10/10/08 (Exhibit 73) and #0A0 Medical Records (Exhibit 74) document the animal appears to have met the criteria for euthanasia days prior to being euthanized. Protocol 2007-1703 (Exhibit 58 (Section 6.3.6 and Section 6.5)) and Protocol 2008-1703 Principal Investigator [REDACTED] response (Exhibit 61) document failure to provide adequate veterinary care. Protocol 2008-1735 (Exhibit 57 (Section 6.1)) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60) document failure to provide and maintain adequate programs of veterinary care. Protocol 2008-1735 (Exhibit 57 (Section 6.7)), Primate Master Record #99R1027, #674, #622, #702, #668, #695 (Exhibits 75-80) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60) document the lack of a system of health records of sufficiently comprehensive to demonstrate the delivery of an adequate program of veterinary care.

Inspection Report (Exhibit 56) and Inspection Photographs (Exhibit 81) document UKMC failure of daily observation of all animals to assess their health and well being.

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 Miscellaneous – Handling, Protocol 2008-1735 (Exhibit 57 (Section 6.4.2)), Primate Master Record #99R1027 (Exhibit 75) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60) document UKMC IACUC failed to ensure adequate handling in respect to approved protocols.

Housing – Surfaces – Inspection Report (Exhibit 56) and Inspection Photographs (Exhibit 82) document UKMC failure of maintenance to ensure all surfaces are free of excessive rust.

Housing – Surfaces, Inspection Report (Exhibit 56) and Inspection Photographs (Exhibit 83) document UKMC failure of maintenance to ensure all surfaces to be readily cleaned and sanitized.

Housing – Storage – Inspection Report (Exhibit 56), Inspection Photographs (Exhibit 84) and SOP HUSB 1 Food, Water and Bedding Management (Exhibit 85 (Section 4.2.7)) document UKMC failure to store bedding in a manner that allows adequate cleaning.

Indoor Housing – Lighting, Inspection Report (Exhibit 56) and Inspection Photographs (Exhibit 86) document failure to provide adequate lighting to permit routine inspection.

Primary Enclosures – Inspection Report (Exhibit 56), Protocol 2007-1688 (Exhibit 19 (Section 10)) documents failure to provide sufficient volume of space.

Environment Enhancement – Inspection Report (Exhibit 56), Inspection Photographs (Exhibit 87) and SOP Prog 8 Promotion of Psychological Well Being of Non-human Primates (Exhibit 88- page 3 (Section 1(c))) document UKMC failed to develop and follow a program of monitoring and maintenance to ensure all enrichment items are kept in good repair.

Environment Enhancement – Inspection Report (Exhibit 56), Inspection Photographs (Exhibit 89), Inspection Video (Exhibit 90) and SOP Prog 8 Promotion of Psychological Well Being of Non-human Primates (Exhibit 88) documents UKMC failure to develop and follow a plan to ensure nonhuman primates showing signs of psychological distress receive considerations with regard to enhancement;

Facilities – Storage, Inspection Report (Exhibit 56), Inspection Photograph (Exhibit 91) and SOP HUSB 1 Food, Water and Bedding Management (Exhibit 85 (Section 4.2.7)) document UKMC failure to store bedding in a manner that allows adequate cleaning.

### June 30, 2009

On 6/30/09 Dr. Ziegerer and Dr. Niemann conducted an inspection (Exhibit 92) at UKMC that documented the following non-compliant items:

UKMC IACUC – Protocol 2007-1619 (Exhibit 93 (Section 19)) and Protocol 2006-1581 (Exhibit 94 (Section 19)) did not include terms that relate to the procedures that may cause more than momentary or slight pain or distress to the animals. Protocol 2007-1619 Principal Investigator Dr. [REDACTED] (Exhibit 95) and Protocol Dr. [REDACTED] 2006-1581 (Exhibit 96) respond to adequate alternatives or alternative methods to more than momentary or slight pain or distress to animals.

UKMC IACUC – Protocol 2007-1619 (Exhibit 93), Protocol 2006-1581 (Exhibit 94), Protocol 2009-1796 (Exhibit 97), Protocol 2007-1680 (Exhibit 59) and Dr. Ziegerer affidavit (Exhibit 29) document four protocols were reviewed and approved by a single member of the IACUC.

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 UKMC IACUC – Protocol 2008-1735 (Exhibit 57 (Section 6.1 and 6.6)) and MRI Scan Procedures (Exhibit 98) document Principal Investigators are not conducting animal activities as delegated in the approved protocol;

UKMC IACUC – protocol 2009-1796 (Exhibit 97 (Section 6.1 and Section 6.3)) and Dr. Ziegerer affidavit (Exhibit 29) document failure to contain scientific justification for the appropriateness of the number of animals being used.

UKMC IACUC – Protocol 2007-1680 (Exhibit 59 (Section 4.0) and Section 5.0 and Section 6.1)) document failure of the complete description of proposed use of animals;

Adequate Veterinary Care, Animal Treatment Records #AV82, #5A9, #5A3, #702, #3A1 and #99R1837 (Exhibits 99-104) document failure to provide adequate veterinary care; Adequate Veterinary Care, Laboratory Animal Record #11F (Exhibit 105) and Dr. Ziegerer (Exhibit 29) document failure to provide adequate veterinary care;

Indoor Housing Facilities – Lighting, Inspection Report (Exhibit 92) documents failure to provide adequate lighting to permit routine inspection.

On 7/29/09 Dr. Tanya Tims (USDA APHIS AC VMO) confirms assisting Dr. Ziegerer with a UKMC Inspection on 3/10/09 (Exhibit 106).

On 8/5/09 Dr. Jamilon Niemann (USDA APHIS AC VMO) confirms assisting Dr. Ziegerer with UKMC Inspections on 8/27/09 and 6/10/09 (Exhibit 107).

On 8/8/09 Investigator [REDACTED], met with Thomas Field, Interim Associate Vice Chancellor for Compliance of UKMC and received documents that had been requested by IES, to be used as evidence to support the alleged violations (Exhibits 2, 4, 7, 8, 14, 15, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 30, 32, 33, 34, 35, 45, 47, 57, 58, 59, 66, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 85, 88, 93, 94 and 105).

On 10/21/2009, Investigator Walker contacted Thomas Field, UKMC, by email with questionnaires to be completed by [REDACTED] (IO), Dr. [REDACTED], Dr. [REDACTED], Dr. [REDACTED] Dr. [REDACTED], [REDACTED] PI, [REDACTED] PI, [REDACTED] PI and Warren Nothnick IACUC Chair. On 12/11/09, Investigator [REDACTED] received an email from Thomas Field containing the completed questionnaires (Exhibits 21, 30, 60, 61, 62, 95, 96, 109, 110 and 111).

E-mails (3) between [REDACTED] (USDA APHIS IES) and Thomas Field UKMC responses to USDA Inspections of UKMC (Exhibit 112).

On 11/30/09 Dr. Ruth Bakker (USDA APHIS AC VMO) confirms assisting Dr. Ziegerer with UKMC Inspection on 4/14/09 (Exhibit 108).

On 12/11/09 Dr. [REDACTED] (UKMC Attending Veterinarian) responded to questions posed by USDA APHIS IES relating to USDA APHIS AC Inspections conducted at UKMC on 8/27/08, 3/10/09, 4/14/09 and 6/30/09 (Exhibit 109).

On 12/11/09 Dr. [REDACTED] (UKMC Vice Chancellor of Administration and UKMC Institutional Official) responded to questions posed by USDA APHIS IES relating to USDA APHIS AC Inspections conducted at UKMC on 8/27/08, 12/18/08, 3/10/09, 4/14/09 and 6/30/09 (Exhibit 110).

On 12/11/09 Dr. [REDACTED] (UKMC IACUC [REDACTED]) responded to questions posed by USDA APHIS IES relating to USDA APHIS AC Inspections conducted at UKMC on 8/27/08, 3/10/09, 4/14/09 and 6/30/09 (Exhibit 111).

E-mail between Rodney Walker (USDA APHIS IES) and [REDACTED] relating to responses to USDA Inspections of UKMC (Exhibit 113).

On 12-14-09, Investigator [REDACTED] received a package from Thomas Field, which contained the attachments that were referenced in Harold Phillips questionnaire (Exhibit 114)

Interview Log prepared by [REDACTED] IES, explaining why UKMC declined to sign affidavits (Exhibit 115).

These findings substantiate the following alleged violation(s):

**9 C.F.R. § 2.31(c)(3) - IACUC functions.**

On 8/27/09, UKMC failed to provide a specific plan and schedule for correction dates on deficiencies identified in the IACUC Fall 2007 and Spring 2008 Facility Review. This regulation requires, if program or facility deficiencies are noted the reports must contain a reasonable and specific plan and schedule with dates for correcting each deficiency.

**9 C.F.R. § 2.31(c)(5) – IACUC functions.**

On 3/10/09, UKMC failed to make recommendations to the Institutional Official regarding increased research activity had exceeded the existing infrastructure creating a need for additional support for the Laboratory Animal Resources. This regulation requires the IACUC make recommendations to the Institutional Official regarding any aspect of the research facilities animal program, facilities or personnel training.

**9 C.F.R § 2.31(d)(1)(ii) – IACUC review of activities involving animals.**

On 3/10/09, 4/14/09, and 6/30/09, UKMC failed to include alternative terms that relate to the procedures that may cause more than momentary or slight pain or distress to the animals. This regulation requires the principal investigator consider alternatives to procedures that may cause more than momentary or slight pain or distress to the animals and has a written narrative description of the methods and sources.

**9 C.F.R § 2.31(d)(1)(iv)(A) – IACUC review of activities involving animals.**

On 3/10/09, UKMC failed to justify for scientific reasons procedures that may cause more than momentary or slight pain or distress to the animal. This regulation requires procedures that may cause more than momentary or slight pain or distress to animals be performed with



appropriate sedatives, analgesics or anesthetics unless withholding such agents is justified for scientific reasons.

**9 C.F.R. § 2.31(d)(1)(iv)(B) – IACUC review of activities involving animals.**

On 3/10/09, UKMC failed to include planning and consultation with the attending veterinarian on procedures that cause more than momentary or slight pain or distress to animals. This regulation requires procedures that cause more than momentary or slight pain or distress to animals involve in their planning, consultation with the attending veterinarian.

**9 C.F.R § 2.31(d)(1)(viii) – IACUC review of activities involving animals.**

On 4/14/09, UKMC failed to ensure personnel conducting procedures on regulated species were appropriately qualified and trained. This regulation requires personnel conducting procedures on the species being maintained or studied will be appropriately qualified and trained on those procedures.

**9 C.F.R. § 2.31(d)(1)(x) – IACUC review of activities involving animals.**

On 3/10/09, UKMC failed to justify by scientific reason the use of at least one non-human primate that underwent three major survival surgeries. This regulation requires no animal will be used in more than one major operative procedure unless justified.

**9 C.F.R § 2.31(d)(2) – IACUC review of activities involving animals.**

On 6/10/09, UKMC allowed four protocols to be reviewed and approved by a single committee member without being available to all members for review and approval from each of the committee members. This regulation requires protocols shall be available to all IACUC members for review.

**9 C.F.R § 2.31(d)(5) – IACUC review of activities involving animals.**

On 3/10/09, 4/14/09 and 6/30/09, UKMC failed to conduct appropriate reviews of animal activities to ensure compliance with compliance with AWA Regulations and Standards. This regulation requires the IACUC shall conduct continuing reviews of activities covered by the AWA at appropriate intervals.

**9 C.F.R. § 2.31(e)(2) – IACUC.**

On 4/14/09 and 6/30/09, UKMC failed to ensure that all protocols include scientific justification for the appropriateness of the number of animals being used for research purposes. This regulation requires a scientific rationale for involving animals, and justification for numbers of animals being used.

**9 C.F.R. § 2.31(e)(3) – IACUC.**

On 3/10/09, 4/14/09, and 6/30/09, UKMC failed to ensure all proposals to conduct animal activities contain a complete description of proposed use of animals. This regulation requires a complete description of the proposed use of animals.

**9 C.F.R. § 2.31(e)(4) – IACUC.**

On 3/10/09 and 4/14/09, UKMC approved protocols that did not include a sufficiently detailed description of the procedures designed to assure that discomfort and pain to animals will be limited to animals to that which is unavoidable. This regulation requires protocols



include a sufficiently detailed description of the procedures designed to assure that discomfort and pain to animals will be limited to animals to that which is unavoidable.

**9 C.F.R. § 2.31(e)(5) – IACUC.**

On 4/14/09, UKMC failed to ensure that all protocols to conduct an activity involving animals contain an appropriate description of the method of euthanasia is to be used. This regulation requires a description of any euthanasia method being used.

**9 C.F.R. § 2.32(a) – Personnel qualifications.**

On 4/14/09, UKMC failed to ensure all individuals involved in animal care, treatment and use must be qualified to perform their duties and appropriately trained. This regulation requires all personnel involved in the animal care, treatment, and use is qualified to perform their duties. This responsibility shall be fulfilled in part through the provision training and instruction.

**9 C.F.R. § 2.33(b)(2) – Adequate Veterinary Care.**

On 8/27/08, 3/10/09, 4/14/09, and 6/30/09, UKMC failed to maintain a program of adequate veterinary care that includes the use of appropriate methods to prevent, control, diagnose and treat animals. This regulation requires the use of appropriate methods to prevent, control, diagnose and treat animals.

**9 C.F.R. § 2.33(b)(3) – Adequate Veterinary Care.**

On 3/10/09 and 4/14/09, UKMC failed to conduct daily observation of all animals to assess their health and well being. This regulation requires daily observations of all animals to assess their health and well being.

**9 C.F.R. § 2.33(b)(5) - Adequate Veterinary Care.**

On 6/30/09, UKMC failed to provide adequate pre-procedural and post-procedural care in accordance with current established veterinary medical and nursing procedures. This regulation requires adequate pre-procedural and post-procedural care in accordance with current established veterinary medical and nursing procedures.

**9 C.F.R. § 2.36(b)(3) – Annual Report.**

On 12/18/08, UKMC's Annual Report failed to include two exemptions to the AWA which had been approved by UKMC IACUC Committee. This regulation requires a summary of all exceptions to the standards and regulations be attached to the facility's annual report.

**9 C.F.R. § 2.36(b)(7) – Annual Report.**

On 3/10/09, UKMC did not report any nonhuman primates on the Annual Report upon which experiments, research, surgery, or tests were conducted involving pain or distress to the animals for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results or interpretation of the teaching, research, experiments, surgery or tests. This regulation requires reporting any nonhuman primates on the Annual Report upon which experiments, research, surgery, or tests were conducted involving pain or distress to the animals for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results or interpretation of the teaching, research, experiments, surgery or tests

**9 C.F.R. § 2.36(b)(8) – Annual Report.**

On 3/10/09, UKMC did not report at least thirty two nonhuman primates on the annual report as being bred, conditioned, or held. This regulation requires reporting the common names and the numbers of animals being bred, conditioned or held for use in teaching, testing, experiments, research or surgery but not yet used for such purposes.

**9 C.F.R. § 2.38(b)(1)(iv) – Miscellaneous – Access and inspection of records and property.**

On 3/10/09, UKMC failed upon multiple direct requests to accompany the USDA Inspectors into a non-human primate room during the inspection. This regulation requires each research facility to allow access and inspection of facilities as APHIS Officials consider necessary to enforce the provisions of the Act.

**9 C.F.R. § 2.38(f)(2)(ii) – Miscellaneous – Handling.**

On 4/14/09, UKMC failed to ensure all approved protocols involving the short term withholding of food and water from animals include a description of monitoring procedures. This regulation requires an IACUC approved activity that involves deprivation of food or water include a description of monitored procedures.

**9 C.F.R. § 2.38(k)(1) – Miscellaneous – Compliance with standards and prohibitions.**

On 3/10/09, UKMC failed to justify an approved exemption to housing standards to allow one nonhuman primate to be housed in an enclosure that did not meet minimum height requirements. This regulation requires each research facility shall comply with all respects with the regulations set forth in 9 CFR 2 (c) and standards set forth in 9 CFR 3.

**9 C.F.R. § 3.25 (a) – Facilities General.**

On 3/10/09, UKMC failed to maintain housing facilities for guinea pigs which were structurally sound and in good repair. This standard requires each housing facilities for guinea pigs to develop a program of monitoring and maintenance to ensure that all facilities are structurally sound, and maintained in good repair.

**9 C.F.R. § 3.29 (a) - Feeding.**

On 8/27/08, UKMC failed to provide wholesome food for guinea pigs. This standard requires each housing facility for guinea pigs provide feed that was free from contamination, wholesome, palatable and sufficient quantity and nutritive value to meet the daily requirements.

**9 C.F.R. § 3.56 ( c) – Sanitation – Housekeeping.**

On 8/27/08 and 3/10/09, UKMC failed to keep rooms housing rabbits free from peeling paint, mold and waste materials. This standard requires each housing facility for rabbits develop and follow a program of monitoring and maintenance to ensure that all premises are kept clean and good repair.

**9 C.F.R. § 3.56 (d) – Sanitation – Pest Control.**

On 3/10/09, UKMC failed to keep an animal receiving room free from insects on the floor. This standard requires each housing facility housing rabbits must have an effective program for the control of insects, ectoparasites, and avian and mammalian pests.

**9 C.F.R. § 3.57 Employees.**

On 3/30/09, UKMC failed to keep food/water receptacles clean from tan scaly material. This standard requires each housing facility housing rabbits must ensure that a sufficient number of appropriately trained employees are utilized in order to maintain the prescribed level of husbandry practices.

**9 C.F.R. § 3.75 (a) – Housing Facilities, General.**

On 8/27/08 and 3/10/09, UKMC failed to maintain rooms housing squirrel monkeys in good repair. This standard requires each housing facility housing nonhuman primates to design, construct and maintain facilities that housed nonhuman primates so that they are structurally sound for the species of nonhuman primates housed in them.

**9 C.F.R. § 3.75 (c)(1) Housing Facilities, General – Surfaces.**

On 8/27/08 and 3/10/09, UKMC failed to maintain rooms housing squirrel monkeys free from chipping and peeling paint and surfaces which were impervious to moisture. This standard requires housing facilities for nonhuman primates be constructed in a manner that allows them to be readily cleaned and sanitized.

**9 C.F.R. § 3.75(c)(1)(i) Housing Facilities, General – Surfaces.**

On 3/10/09 and 4/14/09, UKMC failed to maintain rooms housing squirrel monkeys which could be effectively cleaned and sanitized. This standard requires housing facilities housing nonhuman primates to have all surfaces that come in contact with the nonhuman primates free of excessive rust that prevents required cleaning and sanitation.

**9 C.F.R. § 3.75 (c)(3) Housing Facilities, General – Surfaces – Cleaning.**

On 3/10/09, UKMC failed to maintain rooms housing macaques free of excessive accumulation of fecal material, food residue and drip marks of black to gray material. This standard requires each housing facility housing nonhuman primates to ensure that all hard surfaces which nonhuman primates come into contact with are spot cleaned daily and sanitized.

**9 C.F.R. § 3.75 (e) Housing Facilities, General – Storage.**

On 3/10/09 4/14/09, UKMC failed to have cleaning supplies, medicines, food and opened food treats stored in an orderly manner. This standard requires each housing facility housing nonhuman primates develop and follow a program of monitoring and maintenance to ensure that supplies of food and bedding are stored in a manner that protects the supplies from spoilage, contamination, and vermin infestation.

**9 C.F.R. § 3.75 (f) Housing Facilities, General – Drainage and waste disposal.**

On 8/27/08 and 3/10/09 UKMC failed maintain housing facilities of nonhuman primates which were free of standing water on the floors and uncovered trash cans were present. This standard requires housing facilities housing nonhuman primates to provide regular and frequent removal of water and other fluid waste in order to minimize contamination/disease

risk, and drainage is constructed in a manner that minimizes contamination and disease hazard and trash containers must be leak proof and have tightly fitted lids.

**9 C.F.R. § 3.76 (c) Indoor Housing Facilities – Lighting.**

On 4/14/09 and 6/30/09, UKMC failed to have sufficient lighting to perform inspection and to observe the animals. This standard requires each facility housing nonhuman primates to provide adequate lighting to permit routine inspection and must be uniformly diffused throughout animal facilities to provide sufficient illumination to aid in maintaining good housekeeping practices.

**9 C.F.R. § 3.80 (b) (2) (i) Primary Enclosures.**

On 3/10/09, UKMC failed to provide adequate space for one adult squirrel monkey which was being housed in an infant incubator. This standard requires each facility housing nonhuman primates to provide minimum space to each nonhuman primate, whether housed individually or with other primates. This minimum space will be determined by the typical weight of the animal of its species.

**9 C.F.R. § 3.80 (c) Primary Enclosures.**

On 4/14/09, UKMC IACUC approved temporary use of a human infant incubator which did not provide sufficient space for squirrel monkeys while in post-operative recovery. This standard requires the licensee to ensure that all approved innovative enclosures for nonhuman primates provide the nonhuman primates with a sufficient volume of space.

**9 C.F.R. § 3.81 Environment enhancement to promote psychological well-being.**

On 3/10/09, UKMC failed to develop, document, and follow an appropriate plan for environment enhancement to promote the psychological well-being of nonhuman primates. This standard requires an appropriate plan for environment enhancement adequate to promote the psychological well being of nonhuman primates.

**9 C.F.R. § 3.81(a) Environment enhancement to promote psychological well-being – Social grouping.**

On 3/10/09, UKMC failed to ensure an environment enhancement plan with specific provisions to address the social needs of nonhuman primates of species known to exist in social groups in nature. This standard requires the environment enhancement plan must include specific provisions to address the social needs of nonhuman primates of species known to exist in social groups in nature.

**9 C.F.R. § 3.81 (b) Environment enhancement to promote psychological well-being.**

On 3/10/09 and 4/14/09, UKMC failed to provide enrichment reflectors and toys which were in good repair. This standard requires the licensee to develop and follow a program of monitoring and maintenance to ensure that all enrichment items for nonhuman primates are kept in good repair.

**9 C.F.R. § 3.81 (c)(2) Environment enhancement to promote psychological well-being.**

On 3/10/09 and 4/14/09, UKMC failed to keep twenty eight nonhuman primates from exhibiting abnormal stereotypic behaviors that could be associated with psychological distress. This standard requires the licensee to develop and follow a plan to ensure that those

nonhuman primates that show signs of being in psychological distress through behavior or appearance receive special considerations with regard to enhancement of their environment.

**9 C.F.R. § 3.81 (c)(4) Environment enhancement to promote psychological well-being.**

On 3/10/09, UKMC housed seven macaques with no visual contact with other nonhuman primates. This standard requires the licensee ensure a facility plan for environment enhancement is followed and documented for individually housed nonhuman primates.

**9 C.F.R. § 3.81 (e)(2) Environment enhancement to promote psychological well-being.**

On 3/10/09, UKMC IACUC failed to develop and follow a plan to ensure nonhuman primates showing signs of psychological distress were evaluated. This standard requires the IACUC must review at appropriate intervals the exemption of an individual nonhuman primate from participation of environment enhancement.

**9 C.F.R. § 3.82 (a) Feeding,**

On 8/27/08 and 3/10/09, UKMC failed to provide wholesome food for nonhuman primates as food items were past their expiration or best by dates. This standard requires the licensee to develop a program to ensure that all feed is free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value.

**9 C.F.R. § 3.84 (b)(3) Cleaning, Sanitization, Housekeeping, and Pest Control**

On 3/10/09, UKMC failed to sanitize nonhuman primate enclosures with required temperatures of at least 180 degrees on at least three dates. This standard requires all hard surfaces of primary enclosures housing nonhuman primates be cleaned and sanitized by live steam or washing with at least 180 degree hot water.

**9 C.F.R. § 3.84 (c) Cleaning, Sanitization, Housekeeping, and Pest Control**

On 3/10/09, UKMC failed to have areas housing nonhuman primates free of towels, clothing and other materials which inhibited adequate husbandry practices. This standard requires the licensee to ensure all premises are kept clean and in good repair in order to protect the nonhuman primates from injury and facilitate the husbandry practices.

**9 C.F.R. § 3.84 (d) Cleaning, Sanitization, Housekeeping, and Pest Control**

On 3/10/09, UKMC had a box style rodent trap that was located on the shelf of the television cart rather than on the floor. This standard requires the licensee to have an effective program for control of insects and external parasites.

**9 C.F.R. § 3.85 Employees**

On 3/10/09, UKMC failed to ensure employees were adequately trained in husbandry practices and the care and handling of nonhuman primates. This standard requires the employees who provide husbandry, care, or handle nonhuman primates must be trained and supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of nonhuman primates.

**9 C.F.R. § 3.125 (c) Facilities, General – Storage**

On 3/10/09 and 4/14/09, UKMC failed to have hay and clean bedding stored in a manner which protected the bedding from deterioration and/or contamination. This standard requires the licensee to ensure all supplies of food and bedding are stored in facilities which adequately protect such supplies against deterioration, molding, or contamination by vermin.

**9 C.F.R. § 3.131 (b) Sanitation**

On 3/10/09, UKMC failed to have the cagewash capable of reaching temperatures to ensure adequate sanitation of surfaces. This standard requires the licensee to ensure that all cages are effectively cleaned and sanitized.

**9 C.F.R. § 3.131 (c) Sanitation – Housekeeping**

On 3/10/09, UKMC had accumulations of discarded construction materials in a room used to store bedding for gerbils which inhibited adequate cleaning and sanitation. This standard requires the licensee to keep all premises clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices.

**9 C.F.R. § 3.131 (d) Sanitation – Pest Control,**

On 3/10/09, UKMC failed have an effective program for the control rodents. This standard requires the licensee to provide an effective program for the control of insects, ectoparasites, and avian and mammalian pests.

**9 C.F.R. § 3.132 Employees**

On 3/10/09, UKMC failed to have a sufficient number of adequately trained employees to maintain the professionally acceptable level of husbandry practices. This standard requires a sufficient number of adequately trained employees shall be utilized to maintain the professionally acceptable level of husbandry practices.

These findings indicate that the evidence does not support a violation of the following section(s):

N/A



**MITIGATING AND/OR AGGRAVATING FACTORS**

N/A

**ADDITIONAL INFORMATION**

APHIS form 7023 UKMC Annual Report of Research Facility dated 11/30/09 (Exhibit 116).

<b><u>WITNESS LIST</u></b>		
<i>Provide First, MI and Last Name with Complete Address</i>		
<b>Name</b>	<b>Title</b>	<b>Address / Phone Number</b>
[REDACTED]	Investigator	USDA, APHIS, IES 2150 Centre Ave, Building B 3W10 Fort Collins, CO 80526 (970) 494-[REDACTED] (620) -202-[REDACTED]
[REDACTED]	Investigator	USDA, APHIS, IES 2150 Centre Ave, Building B 3 W10 Fort Collins, CO 80526 (970) 494-[REDACTED] (573) 352-[REDACTED]
[REDACTED]	Investigator	USDA, APHIS, IES 2150 Centre Ave, Building B 3W10 Fort Collins, CO 80526 (970) 494-[REDACTED] (573)233-[REDACTED]
Katheryn Ziegerer	Inspector (VMO)	USDA, APHIS, AC 2150 Centre Ave. Building B 3W11 Fort Collins, CO 80526 (970) 494-7478
Jamilon Niemann	Inspector (VMO)	USDA, APHIS, AC, VMO 2150 Centre Ave. Building B 3W10 Fort Collins, CO 80526 (970) 494- 7478
Ruth Bakker	Inspector (VMO)	USDA, APHIS, AC 2150 Centre Ave. Building B 3W11 Fort Collins, CO 80526 (970) 494-7478
Tanya Tims	Supervisory Veterinary Medical Officer (SVMO)	USDA, APHIS, AC, VMO 2150 Centre Ave. Building B 3W10 Fort Collins, CO 80526 (970) 494- 7478

<p>Thomas Field</p>	<p>Interim Associate Vice Chancellor for Compliance</p>	<p>3901 Rainbow Blvd. Mail Stop 2014 Kansas City, Ks 66160 (913) 588-1206 Email: tfield@kumc.edu</p>
<p>[Redacted]</p>	<p>[Redacted] of the IACUC</p>	<p>3095 KLSIC, University of Kansas Medical Center 3901 Rainbow Blvd. Kansas City, Ks 66160 (913) 588-[Redacted]</p>
<p>[Redacted]</p>	<p>Associate Professor, Department of Anatomy and Cell Biology</p>	<p>5020B Wahl Hall East, University of Kansas Medical Center 3901 Rainbow Blvd. Kansas City, Ks 66160 (913) 588-[Redacted]</p>
<p>David M. Pinson</p> <p>[Redacted]</p>	<p>[Redacted] Laboratory Animal Resources Professor</p>	<p>University of Kansas Medical Center 3901 Rainbow Blvd. Kansas City, Ks 66160 (913) 588-[Redacted] Email: [Redacted]@kumc.edu</p>
<p>[Redacted] PhD</p>	<p>Professor, Department of Molecular and Integrative Physiology</p>	<p>University of Kansas Medical Center 3901 Rainbow Blvd. Kansas City, Ks 66160 (913) 588-[Redacted]</p>
<p>Paul [Redacted]</p>	<p>Professor and [Redacted] Dept Molecular and Integrative Physiology</p>	<p>Dept. Molecular and Integrative Physiology University of Kansas Medical Center 3901 Rainbow Blvd. Kansas City, Ks 66160 (913) 588-[Redacted]</p>
<p>[Redacted]</p>	<p>Research Assistant Professor</p>	<p>Department of OB/GYN University of Kansas Medical Center 3901 Rainbow Blvd. Kansas City, Ks 66160 (913) 588-1755</p>

[Redacted]

		(402) 559- [redacted]
[Large redacted area]		

FOIA 10-549  
Case Number: KS09015-AC

Date: 02/18/10<sup>33 of 241</sup>

**CASE REPORT DISTRIBUTION (cc)**

**Program Official(s)**

Dr. Robert Gibbens, Regional Director  
USDA, APHIS, AC  
2150 Centre AVE. Bldg. B Mail stop #311  
Fort Collins, CO 80526-8117  
970-494-7474

**IES Manager(s)**

Larry Carson, Great Plains Area Manager  
USDA/ APHIS/ IES

**CASE UPDATES**

**Program Official(s)**

Dr. Robert Gibbens, Regional Director  
USDA, APHIS, AC  
Western Region Director, CO

**Primary Investigator**

USDA, APHIS, IES, Sr. Investigator  
2150 Centre Ave.  
Building B 3W10  
Fort Collins, CO 80526  
(970) 494-  
(620) -202

**IES Area Manager**

Larry Carson  
USDA, APHIS, IES  
2150 Centre Ave.  
Building B 3W10  
Fort Collins, CO 80526  
(970) 494-7485

**IES Deputy Regional Director**

Eric Nickerson  
Deputy Regional Director  
USDA/ APHIS/ IES

**IES Regional Director**

Timothy Fordahl  
Western Regional Director  
USDA/ APHIS/ IES

<b><u>EXHIBIT LIST</u></b>			
<b>Exhibit #</b>	<b>Description</b>	<b>Date</b>	<b>Total Pages</b>
Exhibit 1	A copy of Registration letter and License Certificate with license number 48 R-0003	04/27/07	2
Exhibit 2	A copy of Annual Report of Research	04/17/09	1
Exhibit 3	A copy of Division of the University of Kansas Center for Research	01/12/10	3
Exhibit 4	A copy of University of Kansas Center for Research is registered with the Kansas Secretary of State	12/12/08	3
Exhibit 5	A copy of Request for investigation	04/14/09	2
Exhibit 6	A copy of USDA inspection Report	08/28/08	5
Exhibit 7	A copy of Institutional Animal Care and Use Facility Review	12/18/07	27
Exhibit 8	A copy of Institutional Animal Care and Use Facility Review	06/17/09	27
Exhibit 9	Copies of photographs taken by Dr. Ziegerer	08/27/08	7
Exhibit 10	Copies of photographs taken by Dr. Ziegerer	08/27/08	3
Exhibit 11	Copies of photographs taken by Dr. Ziegerer	08/27/08	3
Exhibit 12	Copies of photographs taken by Dr. Ziegerer	08/27/08	5
Exhibit 13	A copy of USDA inspection Report	12/18/08	2
Exhibit 14	A copy of University of Kansas Center for Research is registered with the Kansas Secretary of State	11/12/08	1
Exhibit 15	A copy of Institutional Animal Care and Use Committee Minutes	05/20/08	10
Exhibit 16	A copy of USDA inspection Report	03/10/09	29
Exhibit 17	A copy of Institutional Animal Care and Use Committee Minutes	10/16/07	11
Exhibit 18	A copy of Institutional Animal Care and Use Committee Minutes	11/20/07	12
Exhibit 19	A copy of Animal Care and Use Proposal 2007-1688	10/03/07	27

Exhibit 20	Copies of Laboratory Animal record # 1911	06/05/07, 06/06/07and 07/23/07,	8
Exhibit 21	Questionnaire answered by Dr. [REDACTED]	12/11/09	8
Exhibit 22	A copy of Institutional Animal Care and Use Committee Minutes	03/24/08	10
Exhibit 23	A copy of Institutional Animal Care and Use Committee Minutes	04/14/08	23
Exhibit 24	A copy of Institutional Animal Care and Use Committee Minutes	05/20/08	10
Exhibit 25	A copy of Institutional Animal Care and Use Committee Minutes	06/17/08	8
Exhibit 26	A copy of Institutional Animal Care and Use Committee Minutes	07/15/08	6
Exhibit 27	A copy of Institutional Animal Care and Use Committee Minutes	08/19/08	11
Exhibit 28	A copy of Animal Care and Use Proposal 2007-1686	10/03/07	18
Exhibit 29	Affidavit obtained from Dr. Katheryn Ziegerer	01/21/10	14
Exhibit 30	Questionnaire answered by [REDACTED]	12/11/09	3
Exhibit 31	Copies of photographs taken by Tanya Tims SVMO	03/10/09	87
Exhibit 32	A copy of daily observation of animals Husbandry Room Checklists	2/20/09	6
Exhibit 33	A copy of Annual Report of Research	11/12/08	1
Exhibit 34	A copy of Amended Annual Report of Research	04/03/09	3
Exhibit 35	A copy of Amended Annual Report of Research	01/08/09	1
Exhibit 36	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	2
Exhibit 37	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	11
Exhibit 38	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	31



Exhibit 39	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	13
Exhibit 40	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	8
Exhibit 41	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	18
Exhibit 42	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	50
Exhibit 43	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	7
Exhibit 44	A copy of photograph taken by Tanya Tims, SVMO	03/10/09	1
Exhibit 45	A copy of SOP PROG 8	N/A	5
Exhibit 46	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	15
Exhibit 47	A copy of Institutional Animal Care and Use Committee Minutes	09/16/08	9
Exhibit 48	A copy of photograph taken by Tanya Tims, SVMO	03/10/09	1
Exhibit 49	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	3
Exhibit 50	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	8
Exhibit 51	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	2
Exhibit 52	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	2
Exhibit 53	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	4
Exhibit 54	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	3
Exhibit 55	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	15

Exhibit 56	A copy of USDA inspection Report	04/14/09	17
Exhibit 57	A copy of Animal Care and Use Proposal 2008-1735	05/08/08	37
Exhibit 58	A copy of Animal Care and Use Proposal 2007-1703	15/05/07	14
Exhibit 59	A copy of Animal Care and Use Proposal 2007-1680	09/04/07	18
Exhibit 60	Questionnaire answered by Paul [REDACTED]	12/11/09	14
Exhibit 61	Questionnaire answered by [REDACTED]	12/11/09	6
Exhibit 62	Questionnaire answered by [REDACTED]	12/11/09	9
Exhibit 63	Copies of LAR Training Record	12/12/06	5
Exhibit 64	Copies of Lab Animal Records B5-AL11 and B4-2A0 and B2-4A4 and A5-3A5 and A2-5A9 and C1-57Z and C2-5A	12/11/07	7
Exhibit 65	A copy of SOP PROG 5 Personnel Training	3/09	5
Exhibit 66	A copy of Principal Investigator [REDACTED] Training Record	03/02/07	19
Exhibit 67	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	18
Exhibit 68	Copies of Laboratory Animal Record for #99R1027	10/14/08 and 12/07/08	5
Exhibit 69	Copies of Animal Records for animal OAO	10/07/08, 10/15/08 and 10/16/08	4
Exhibit 70	Copies of Emails with concerns for animal OAO	10/08 and 10/16/08	2
Exhibit 71	Copy of Primate Master record for OAO	12/21/07	1
Exhibit 72	Copies of Laboratory Animal Record for 3A0	10/07/08, 10/09/08 and 10/10/08	3
Exhibit 73	Copies of Emails with concerns for animal 3A0	10/09/08 and 10/10/08	2
Exhibit 74	A copy of Animal record for animal 3A0	10/20/08	1
Exhibit 75	Primate Mater Record for animal 99R1027	01/01/07	1

Exhibit 76	Primate Mater Record for animal 674	11/04	1
Exhibit 77	Primate Mater Record for animal 622	5/18/09	1
Exhibit 78	Primate Mater Record for animal 702	05/15/09	1
Exhibit 79	Primate Mater Record for animal 668	5/15/09	1
Exhibit 80	Primate Mater Record for animal 695	5/20/09	1
Exhibit 81	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 82	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 83	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	3
Exhibit 84	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 85	A copy of SOP HUSB 1 Food, Water and Bedding Management	04/09	11
Exhibit 86	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 87	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	3
Exhibit 88	A copy of SOP Prog 8 Promotion of Psychological Well Being of Non-human Primates	N/A	14
Exhibit 89	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	26
Exhibit 90	Copy of video taken by Ruth Bakker, VMO	04/14/09	1
Exhibit 91	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 92	A copy of USDA Inspection Report	06/30/09	5
Exhibit 93	A copy of Animal Care and Use Proposal 2007-1619	01/05	12
Exhibit 94	A copy of Animal Care and Use Proposal 2006-1581	01/05	14

FOIA 10-548 Exhibit 95	Questionnaire answered by [REDACTED] Culley, Veterinarian	12/11/09	3 40 of 241
Exhibit 96	Questionnaire answered by [REDACTED]	12/11/09	3
Exhibit 97	A copy of Animal Care and Use Proposal 2009-1796	04/13/09	38
Exhibit 98	Copies of MRI Scan Procedures	06/22/09	9
Exhibit 99	A copy of Treatment Record for animal AV82	05/20/09	1
Exhibit 100	A copy of Treatment Record for animal 5A9	06/19/09	1
Exhibit 101	A copy of Treatment Record for animal 5A3	06/19/09	1
Exhibit 102	A copy of Treatment Record for animal 702	6/19/09	1
Exhibit 103	A copy of Treatment Record for animal 3A1	06/19/09	1
Exhibit 104	A copy of Treatment Record for animal 99R1837	05/29/09	1
Exhibit 105	Laboratory Animal Record for 11F	05/06/09	2
Exhibit 106	Affidavit obtained from Dr. Tanya Tims	07/25/09	1
Exhibit 107	Affidavit obtained from Dr. Jami Niemann	08/05/09	1
Exhibit 108	Affidavit obtained from Dr. Ruth Bakker	11/30/09	2
Exhibit 109	Questionnaire answered by [REDACTED] DVM	12/11/09	27
Exhibit 110	Questionnaire answered by [REDACTED]	12/11/09	108
Exhibit 111	Questionnaire answered by [REDACTED]	12/11/09	37
Exhibit 112	E mails from Thomas Field (UKMC Interim Associate Vice Chancellor for Compliance)	10/22/09 7 10/25/09	4
Exhibit 113	Email from Thomas Field (UKMC Interim Associate Vice Chancellor for Compliance)	12/11/09	1
Exhibit 114	Attachments received from KU Med Center	12/14/09	221
Exhibit 115	Interview Log by [REDACTED] IES	12/18/09	1
Exhibit 116	A copy of Annual Report of Research	11/30/09	10



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970-494-7478  
Fax: 970/494-7461

RE: ACKNOWLEDGEMENT OF UPDATE  
Certificate Number: 48-R-0003  
Anniversary Date: 05/04/2013

April 26, 2010  
Customer ID Number: 1460

[REDACTED]  
University Of Kansas Medical Center  
3901 Rainbow Blvd  
1040 Wescoe Pavilion - Ms 2014  
Kansas City, KS 66160

Dear Registrant:

Thank you for submitting your USDA Registration renewal form. Enclosed for your files is a copy of your APHIS Form 7011 (Application for Registration) and Registration Certificate showing that your registration under the Animal Welfare Act has been renewed for another 3 years.

This Application for Registration is to be filed every 3 years on or before your renewal date. You will receive a renewal notice approximately 60 days before your renewal date. You may discontinue your registration under the Animal Welfare Act any time you desire by submitting a written request for cancellation of your registration to this office.

You are reminded that your records must be kept current. They are subject to review by the Animal Care personnel when they visit your premises. Record-keeping forms may be ordered from this office at no charge.

The law requires you to notify this office, in writing, of any changes in the name, address, location, management, control or ownership of your business within 10 days after such a change has been made.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at (970) 494-7478 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens, D V M  
Regional Director – Animal Care  
Western Region

cc: [REDACTED] D.V.M.

Enclosures



Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Programs

An Equal Opportunity Provider and Employer



United States  
Department of  
Agriculture

Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

Animal Care

This is to certify that

is a registered  
under the

# Animal Welfare Act

(7 U.S.C. 2131 et seq.)

Certificate No.

Customer No.

Deputy Administrator

9

Every research facility, exhibitor, carrier, and intermediate handler not required to be licensed under Section 3 of the Animal Welfare Act, shall register with the USDA (7 USC 2136). This application provides information for such registration. OMB No. 0579-0036 FORM APPROVED

U.S. DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
**APPLICATION FOR REGISTRATION**  
(TYPE OR PRINT)

**USDA USE ONLY**

Applicant should send completed form to this address.  
USDA APHIS ANIMAL CARE  
Western Region  
2150 Centre Ave.  
Building B, Mailstop 3W11  
Fort Collins, CO 80526-8117  
(970) 494-7478

**REGISTRATION UPDATE**

**CERTIFICATE NO./CUST NO:** 48-R-0003  
1460  
**RENEWAL DATE:** 4-May-2010

1. REGISTRANT (Name and permanent mailing address, including Zip Code)

UNIVERSITY OF KANSAS MEDICAL CENTER  
3901 Rainbow Blvd  
1040 Wescoe Pavilion - Ms 2014  
Kansas City, KS 66160

COUNTY: WYANDOTTE TELEPHONE (913) - 588 - ~~7045~~  
**1206**

2. LOCATION (S) OF BUSINESS, EXHIBITION STIE(S), OR RESEARCH FACILITIES (Use additional sheets if necessary)

3901 Rainbow Boulevard  
Kansas City, KS 66160  
County: WYANDOTTE

3. (A) PREVIOUS USDA REGISTRATION NUMBER (IF ANY)

**N/A**

4. (B) ACTIVE USDA CERTIFICATE NUMBER(S) IN WHICH YOU HAVE AN INTEREST:

**N/A**

5. ARE YOU USING FEDERAL FUNDS TO CARRY OUT

RESEARCH, TESTS, OR EXPERIMENTS

Yes  No

6. TYPE OF REGISTRATION:

Class E - Exhibitor  Class H - Intermediate Handler  
 Class R - Research Facility  Class T - Carrier

7. FEDERAL FUND TYPES:

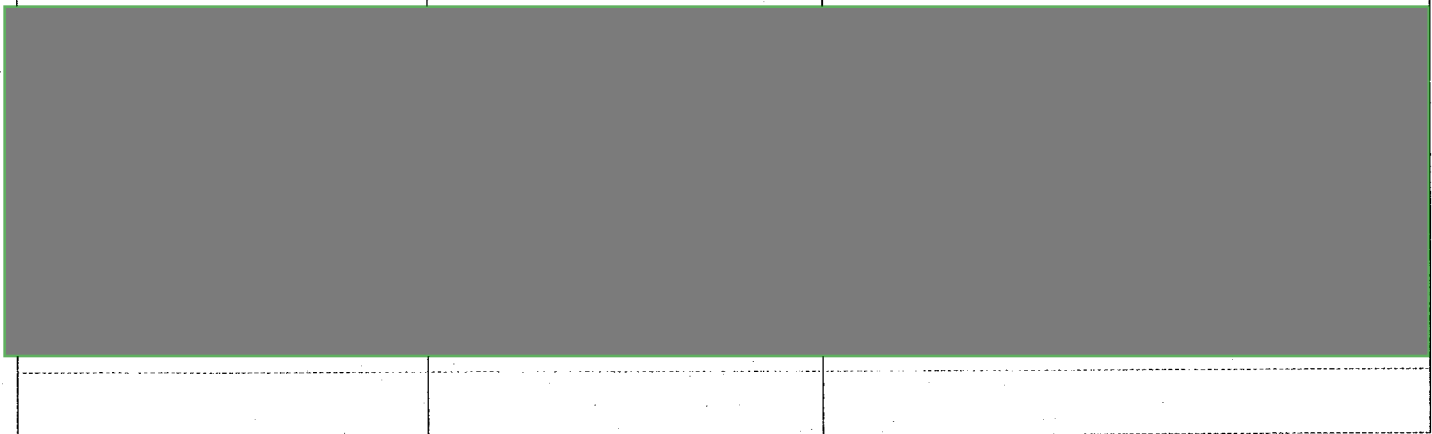
Award  Contract  Grant  Loan

8. TYPE OF ORGANIZATION:

Partnership  Corporation  Individual  
 Other (Specify) **State Government - University**

9. IF INDIVIDUAL IDENTIFY EACH OWNER, IF PARTNERSHIP IDENTIFY EACH PARTNER OR OFFICER, IF CORPORATION, IDENTIFY PRINCIPAL OFFICERS FOR RESEARCH FACILITIES INCLUDE THE INSTITUTIONAL OFFICIAL (Use separate sheet if needed)

A. NAME B. TITLE C. ADDRESS (full address, including ZIP Code)



CERTIFICATION

I hereby register as a Research Facility, Exhibitor, Carrier, or Intermediate Handler under the Animal Welfare Act, 7 U.S.C., 2131 et seq, and I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and agree to comply with all the regulations and standards contained in 9 CFR, Subpart A, parts 1, 2 and 3. I certify that all listed persons are 18 years of age or older.

10. SIGNATURE [Redacted] 11. NAME AND TITLE (Type or Print) [Redacted] 12. DATE SIGNED **4-9-10**

ACKNOWLEDGEMENT OF RECEIPT OF REGULATIONS AND STANDARDS

APR 16 2010



April 8, 2010

Robert Gibbens, DVM, Regional Director  
United States Department of Agriculture  
Animal and Plant Health and Inspection Service  
Animal Care – Western Region  
2150 Centre Avenue, Building B, Mail Stop # 3W11  
Fort Collins, CO 80526

**Regarding:**                      **University of Kansas Medical Center**  
   **Certificate No.: 48-R-0003**  
   **Customer No.: 1460**

Dear Dr. Gibbens:

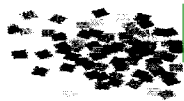
Attached, please find an Application for Registration and a document entitled IMPORTANT for the University of Kansas Medical Center. Please note one correction to the phone number listed in section 1 of the application. The correct phone number is (913) 588 – [REDACTED]. If you have any questions, please contact me at (913) 588 – [REDACTED].

Sincerely,

[REDACTED]

APR 16 2010





[Redacted] MD/APHIS/USDA  
04/28/2010 09:12 AM

To Robert M Gibbens/CO/APHIS/USDA@USDA, [Redacted]  
[Redacted]/KS/APHIS/USDA@USDA, Timothy R  
Fordahl/CO/APHIS/USDA@USDA, [Redacted]  
cc  
bcc  
Subject KS09015-AC

University of Kansas Medical Center has been sent a Stip for \$62,500. Attached is copies of the Settlement Agreement and Cover Letter. If you have any questions, please contact Roxanne Folk, 301-734-5578.



ks09015 u of kansas med ctr sag.doc



KS09015-AC University of Kansas Medical Center Ltr.doc



KS09015-AC UKMC scanned.pdf

Certified Mail Tracking Number: 70093410000185220471

Thank you,

[Redacted]  
US Department of Agriculture  
Animal and Plant Health Inspection Service  
Investigative and Enforcement Services- Headquarters  
(301)734-[Redacted]  
[Redacted]@aphis.usda.gov

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature (b)(6), (b)(7)(c)	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery 5-3-10
University of Kansas Medical Center 3901 Rainbow Blvd. 1040 Wescoe Pavillion - MS2014 Kansas City, KS 66160		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label)		3. Service Type	
7009 3410 0001 8522 0471		<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
PS Form 3811, February 2004		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
Domestic Return Receipt		102595-02-M-1540	

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

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or PO Box No. MSO9015-AC

City, State, ZIP+4

PS Form 3800, August 2006      See Reverse for Instructions

7009 3410 0001 8522 0471



APR 28 2010

**CERTIFIED MAIL  
RETURN RECEIPT**

**United States  
Department of  
Agriculture**

**University of Kansas Medical Center**

**Animal and  
Plant Health  
Inspection  
Service**

3901 Rainbow Blvd.  
1040 Wescoe Pavillion – MS2014  
Kansas City, KS 66160

**Marketing &  
Regulatory  
Programs Business  
Services**

Dear Sir(s):

4700 River Road  
Riverdale, MD  
20737

**Animal and Plant Health Inspection Service (APHIS) enforces regulations to protect the health and care of animals, plants, and agricultural industry. Violations of these regulations jeopardize the animal and plant health systems that are vital to protect American agriculture.**

**Our investigation shows that you have violated the United States Code of Federal Regulations as described on the enclosed Stipulation. APHIS laws and regulations provide for administrative and criminal penalties to enforce these regulatory requirements, including civil penalties of \$125,000 for the violations documented in our investigation.**

**The Secretary of Agriculture may, after providing notice and opportunity for a hearing, impose civil penalties or other sanctions. You may, however, waive your right to a hearing and settle this matter by paying \$62,500 by June 07, 2010 and signing the enclosed Stipulation.**

**Please pay the \$62,500 penalty by certified check or money order made payable to the Treasurer of the United States. Write the Case Number (KS09015-AC) on your check or money order and mail it with the signed Stipulation to:**

USDA, APHIS, (General) (KS09015-AC)  
P. O. Box 979043  
St. Louis, MO 63197-9000

**If we do not receive your signed stipulation agreement and payment or notice that you wish to exercise your right to a hearing by June 07, 2010, this matter will be forwarded to the Department's Office of the General Counsel (OGC) for litigation. Please know that the penalty offered in this Stipulation represents a fraction of the civil penalty APHIS may seek should we refer this matter to OGC. You may contact our office at telephone number (301) 734-8684 if you have any questions.**

Sincerely,

Bernadette Juarez  
Deputy Director  
Investigative and Enforcement Services

4/27/10

Enclosure

cc: R. Gibbens, AC, WR T. Fordahl, IES, WR IES, WR  
IES, KS AC, WR

APHIS:IES:DJarvis:ldh:734-6169:04/27/10:i:DCS KS09015-AC University of Kansas Medical Center Ltr. T03-A SA Ltr Certified Rev 2 (10-20-08)



Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Program

An Equal Opportunity Provider and Employer

# Investigative and Enforcement Services

# Settlement Agreement

USDA, APHIS, IES  
4700 River Road, Unit 85  
Riverdale, MD 20737  
Phone: (301) 734-8684  
Fax: (301) 734-4328

**RESPONDENT:**  
University of Kansas Medical Center  
[Redacted]  
3901 Rainbow Blvd.  
1040 Wescoe Pavillion – MS2014  
Kansas City, KS 66160

**CASE NUMBER** KS09015-AC  
**DUE ON OR BEFORE** June 7, 2010  
**CONTACT** Ms. [Redacted]  
**PHONE** (301) 734-[Redacted]

DATE	CITATION	DESCRIPTION
<b>See Attached Pages (Page 1 of 7)</b>		

**PENALTY** \$ 62,500.      **TERMS**

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

**Signature of Respondent:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### PAYMENT RECORD - FOR IES USE ONLY

Payment Type	Date	Amount	Signature of IES Representative

**DATE** FOIA 10-549

49 of 241

**CITATION**  
9 CFR**DESCRIPTION**

10-MAR-2009

2.31(d)(2)(iv)(B)

**Institutional Animal Care and Use Committee (IACUC).**  
For protocol 2007:1688 failed to include planning and consultation with the attending veterinarian on procedures that may cause more than momentary or slight pain and/or distress to animals.

2.33(b)(2)

**Attending Veterinarian and Adequate Veterinary Care.**  
Failed to establish and maintain adequate programs of veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care. APHIS observed the following: 1) An investigator cart in procedure room [REDACTED] that contained expired drugs (8 vials) of ketamine (expiration date 6/08) and one bottle of Nembutal Sodium Solution/Pentobarbital 50 mg/ml (exp. 9/1/08) also, butterfly catheters were stored in a drawer with an aerosol can of "Clippicide" spray. 2) In procedure room [REDACTED] housing 4 macaques, a bottle of children's chewable vitamins were stored immediately adjacent to cleaning solutions. 3) In room [REDACTED] an oral pill dispenser was observed being stored in a container with grooming supplies including nail clippers and a comb. A large white rabbit was observed with a persistent, abnormal head tilt to the right. 4) In room [REDACTED], an oral dispensing tube of Panacur (Fenbendazole) was being stored on a soap dispenser adjacent to cleaning chemicals. 5) A macaque was observed with red to brown colored crusty discharge around the resin on his surgically placed acrylic head cap. 6) Twenty six nonhuman primates were observed to have hair loss and/or excessive scratching.

2.33(b)(3)

**Attending Veterinarian and Adequate Veterinary Care.**  
Failed to establish and maintain adequate programs of veterinary care that included the daily observation of all animals to assess their health and well-being. APHIS observed several animals that had medical problems that had not been documented by animal caretakers nor communicated to the veterinary staff including a white rabbit (in room [REDACTED] with a persistent, abnormal head tilt to the right; twenty six non human primates with varying amounts of hair loss and excessive scratching, including one animal that was thin.

3.56(c)

**Sanitation. Housekeeping.** Failed to keep premises (building and grounds) clean and in good repair in order to protect animals from injury and to facilitate prescribed husbandry practices. The refrigerator room [REDACTED] was observed with a thick layer of brown to tan dusty material on top. There was also a large quantity of spilled bedding present. In room [REDACTED], there was an uncovered trash can containing waste material.

**DATE** FOIA 10-549

50 of 241

**CITATION**  
**9 CFR****DESCRIPTION****10-MAR-2009****3.75(a)****Housing Facilities, general. Structure. Construction.**

Failed to provide housing facilities for nonhuman primates that are designed and constructed to be structurally sound, kept in good repair, and to protect the animals from injury. APHIS observed cages (18 squirrel monkeys) in room [REDACTED] had a two inch by four inch opening at the front of the enclosures risking injury to the animal. The following non human primate rooms had drain covers that had been removed for cleaning and not replaced: room [REDACTED] (2 squirrel monkeys); room [REDACTED] (4 macaques); room [REDACTED] (17 squirrel monkeys); room [REDACTED] (11 squirrel monkeys in front, 11 in back); and room [REDACTED] (18 squirrel monkeys).

**3.75(c)(1)****Housing Facilities, general. Surfaces. General Requirements.**

Failed to provide surfaces in housing facilities that are constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. In room [REDACTED] (housing 10 macaques), the drywall behind the hose was observed bowing out and had a roughened surface with peeling paint. This area is no longer impervious to moisture and can no longer be effectively cleaned and sanitized.

**3.75(f)****Housing Facilities, general. Drainage and waste disposal.**

Failed to provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, dead animals, debris, garbage, water, and any other fluids and wastes, in a manner that minimizes contamination and disease risk. APHIS observed several rooms housing nonhuman primates in which the trash cans were not covered. Rooms with uncovered or partially uncovered trash cans included: [REDACTED] (4 macaques), [REDACTED] (10 macaques), [REDACTED] (6 macaques), and two trash cans on the dirty side of a cage wash used to clean nonhuman primate enclosures. Standing water was observed in the following rooms [REDACTED] (housing 16 squirrel monkeys), room [REDACTED] (housing 18 squirrel monkeys), room [REDACTED] (housing 10 macaques); and room [REDACTED] (housing 3 macaques) standing water was observed on the bottom shelf of the television cart.

**3.81(c)(2)****Environment Enhancement to Promote Psychological Well-Being. Special considerations.**

Failed to provide special attention regarding enhancement of environment, based on the needs of the individual species and in accordance with the instructions of the attending veterinarian. Twenty-six nonhuman primates had variable degrees of hair loss ranging from partial to full loss of hair on the tail to patchy hair loss on the body. An additional seven nonhuman primates were observed by APHIS to be actively picking or stripping hair from their bodies or exhibiting stereotypic behaviors such as flipping or swaying.

<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
10-MAR-2009	3.81(e)(2)	<b>Environment Enhancement to Promote Psychological Well-Being.</b> Failed to appropriately exempt animals from the environmental enrichment plan. The committee approved an exemption to environment enhancement for squirrel monkeys on protocol 2007:1688; but the IACUC has not approved this exemption on an individual basis. Several squirrel monkeys had variable degrees of hair loss, which can be a sign of psychological distress.
	3.82(a)	<b>Feeding.</b> Failed to provide a diet of food that is clean, wholesome, palatable to the animals, of sufficient nutritive value for non human primates that is appropriate for the species, size, age, condition of the animal, and for the conditions in which the nonhuman primate is maintained. APHIS officials observed three containers of baby food used as treats for non human primates in the investigator lab in room [REDACTED]. These containers of food were expired.
19-APR-2009	2.31(d)(5)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to conduct continuing review of activities at appropriate intervals as determined by the IACUC. Protocol 2007-1703; Protocol 2008-1735; and Protocol 2007-1680.
	2.31(e)(4)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to have a sufficiently detailed description of the procedures designed to assure that discomfort and pain to animals will be limited to that which is unavoidable. Protocol 2007-1703, a guinea pig protocol, includes conflicting information concerning the dose and/or route of administration of anesthetic and analgesic drugs.
	2.33(b)(2)	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care. APHIS officials observed the following: 1) two squirrel monkeys (ID#668 and ID#702) wearing beaded metal collars that were rusty; 2) Macaque (ID#99R1027) was prescribed acetaminophen, but was given ibuprofen instead; 3) Medical records for a male macaque (ID#99R1027) stated that the chamber had not been cleaned in 3 weeks; 4) Medical records for macaque (ID#0A0) do not document that any veterinarian performed any evaluations, physical examinations, diagnosis, or developed any treatment plan from 10/07/08 through 10/16/08; and 5) In protocol 2008-1735 failed to weigh monkeys on a regular basis to check for normal weight gain as stated in the protocol.



**DATE** FOIA 10-549

52 of 241

**CITATION**  
**9 CFR****DESCRIPTION****14-APR-2009****2.33(b)(3)**

**Attending Veterinarian and Adequate Veterinary Care.** Failed to establish and maintain adequate programs of veterinary care that included the daily observation of all animals to assess their health and well-being. Checklists reviewed at this inspection showed that completion of daily observations (health check) were not documented on four occasions; all of which were on the weekend; Room [REDACTED] (April 11 and April 12); Room [REDACTED] (April 4 and April 5).

**3.75(c)(1)**

**Housing Facilities, General. Surfaces.** Failed to have facilities made of materials that allow them to be readily cleaned and sanitized as required. In room [REDACTED] housing 15 squirrel monkeys, there were areas of chipping and peeling paint on the wall in at least two areas exposing the bare cinder blocks which cannot be effectively cleaned and sanitized.

**3.75(c)(1)(i)**

**Housing Facilities, General. Surfaces.** Failed to have fixtures constructed of materials that allow them to be readily cleaned and sanitized as required and free of excessive rust. A metal hook on one of the straps used to secure the perches in a squirrel monkey enclosure had rusted to the point that it could no longer be effectively cleaned and sanitized.

**3.75(e)**

**Housing Facilities, General. Storage.** Failed to store supplies of food and bedding in a manner that protects the supplies from spoilage, contamination, and vermin infestation. A pallet of bedding in the second floor storage room, used to store primate feed and other animal supplies was stored against the wall, preventing the required cleaning (SOP HUSB 1 Food, Water, and Bedding Management).

**3.81(b)**

**Environment Enhancement to Promote Psychological Well-Being.** Failed to develop and follow a program of monitoring and maintenance to ensure that all enrichment items for nonhuman primates are kept in good repair and can be effectively cleaned and sanitized. At least 4 metal circular discs, which are supposed to be reflective and act as mirrors to provide enrichment for the nonhuman primates were scratched to the point that the surface was no longer reflective. At least three "chew toys" observed to be chewed to the point that the surface was extremely grooved and pitted to the point that they could no longer be effectively cleaned and disinfected.



14-APR-2009

3.81(c)(2)

**Environment Enhancement to Promote Psychological Well-Being. Special Considerations.** Failed to provide special attention regarding enhancement of their environment, based on the needs of the individual species and in accordance with the instructions of the attending veterinarian. Several nonhuman primates had variable degrees of hair loss ranging from partial to full loss of hair on the tail to patchy hair loss on the body; several were observed by APHIS to be actively picking and showing signs of possible psychological distress.

3.125(c)

**Facilities, General. Storage.** Failed to develop and follow a program that ensures that all supplies of food and bedding are stored in facilities which adequately protect such supplies from deterioration, molding, or contamination by vermin. The ground floor storage room used to store gerbil bedding was nearly filled with pallets of bedding leaving only a small open area at the entrance of the room, preventing the required cleaning (SOP HUSB 1 Food, Water, and Bedding Management).

30-JUN-2009

2.31(d)(5)

**Institutional Animal Care and Use Committee (IACUC).** Failed to conduct continuing review of activities at appropriate intervals as determined by the IACUC. Investigators for Protocol 2008-1735 are not conducting animal activities as delineated in the IACUC approved protocol. MRI anesthetic procedures states that nonhuman primates will be tranquilized with ketamine. The laboratory written procedure for MRI utilized by the laboratory staff states that the animals are given a full dose of ketamine followed by a "Dormitor" for transport, which is then followed by a 1/2 dose of ketamine every 30 minutes thereafter.

2.31(e)(2)

**Institutional Animal Care and Use Committee (IACUC).** Failed to ensure that all protocols include an appropriate rationale for the number of animals to be use. Protocol 2009-1796 did not contain a scientific justification for the appropriateness of the number of animals being used.

2.31(e)(3)

**Institutional Animal Care and Use Committee (IACUC).** Failed to provide a complete description of the proposed use of the animals to facilitate the evaluation of the protocols by the IACUC. Protocol 2007-1680 did not contain a complete description of the proposed use of the animals.

**30-JUN-2009**

**2.33(b)(2)**

**Attending Veterinarian and Adequate Veterinary Care.** Failed to establish and maintain adequate programs of veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care. Animal records showed that medications were not administered as prescribed by the veterinarian: Macaque #AV82- four missed doses of metronidazole; macaques #5A9, 5A3, 702, 3A1- missed one dose metronidazole; macaque #99R1837 missed one dose cephalixin; and squirrel monkey #11F - missed one dose "Rimadyl".



[redacted]  
[redacted]/CO/APHIS/USDA  
04/26/2010 09:42 AM

To Ruth A McDermott/MD/APHIS/USDA@USDA  
cc [redacted]/MD/APHIS/USDA@USDA, [redacted]  
[redacted]/MD/APHIS/USDA@USDA  
bcc

Subject Fw: KS09015-AC; University of Kansas Medical Center  
(Concurrence of stip \$62,500)

[redacted] asked me to forward this to you since she is out of town.

----- Forwarded by [redacted]/CO/APHIS/USDA on 04/26/2010 07:41 AM -----  
----- Forwarded by Robert M Gibbens/CO/APHIS/USDA on 04/26/2010 07:14 AM -----



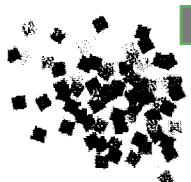
Robert M  
Gibbens/CO/APHIS/USDA  
04/26/2010 07:14 AM

To [redacted] MD/APHIS/USDA  
cc

Subject Re: KS09015-AC; University of Kansas Medical Center  
(Concurrence of stip \$62,500) [icon]

I concur. Thanks.....Bob

[redacted] MD/APHIS/USDA



[redacted]  
[redacted] MD/APHIS/USDA  
04/23/2010 08:57 AM

To Robert M Gibbens/CO/APHIS/USDA@USDA  
cc  
Subject KS09015-AC; University of Kansas Medical Center  
(Concurrence of stip \$62,500)

Hi,

We have reviewed case number KS09015-AC; University of Kansas Medical Center. This case documents findings from five AC inspections.

The stipulation calculates to \$ 62,500.

A reply with your concurrence is **required** to proceed with our recommended enforcement action.

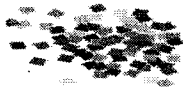
A draft of the stipulation and penalty worksheets are attached for your information, review, and concurrence.

[attachment "ks09015 univ of kansas med ctr wrksh final.xls" deleted by Robert M Gibbens/CO/APHIS/USDA] [attachment "ks09015 u of kansas med ctr sag.doc" deleted by Robert M Gibbens/CO/APHIS/USDA]

[REDACTED]

Enforcement Specialist  
Animal Health and Welfare Review and Enforcement Section  
Investigative and Enforcement Services  
Animal and Plant Health Inspection Service  
U.S. Department of Agriculture  
4700 River Road  
Unit 85 (Room 6B-02.7)  
Riverdale, Maryland 20737  
(301) 734-[REDACTED]  
(301) 734-4328 (facsimile)  
[REDACTED]@aphis.usda.gov

CONFIDENTIALITY NOTE: This message is intended only for the named recipient and may contain confidential, proprietary, or legally privileged information. Any unauthorized dissemination, distribution, or copying of this information is strictly prohibited. If you have received this message in error, please advise the sender by reply e-mail, and delete this message and any attachments.



[redacted]  
[redacted] MD/APHIS/USDA  
04/23/2010 11:02 AM

To [redacted] CO/APHIS/USDA@USDA  
cc Ruth A McDermott/MD/APHIS/USDA@USDA, [redacted]  
[redacted] /MD/APHIS/USDA@USDA  
bcc  
Subject Concurrence of Univ. of Kansas

Hi [redacted]

May I ask that when or if Dr. G, gives concurrence (sent to him under separate e-mail) to issue the stipulation for Univ. of Kansas (KS09015-AC), that you e-mail that concurrence to Ruth Anne. I will be out of the office next week, and this way, it will not have to wait until I return to be issued.

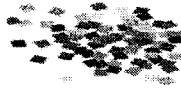
Thanks so much for help with this situation.

[redacted]

[redacted]

Enforcement Specialist  
Animal Health and Welfare Review and Enforcement Section  
Investigative and Enforcement Services  
Animal and Plant Health Inspection Service  
U.S. Department of Agriculture  
4700 River Road  
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MD/APHIS/USDA  
04/23/2010 10:57 AM

To Robert M Gibbens/CO/APHIS/USDA@USDA  
cc  
bcc  
Subject KS09015-AC; University of Kansas Medical Center  
(Concurrence of stip \$62,500)

Hi,

We have reviewed case number KS09015-AC; University of Kansas Medical Center. This case documents findings from five AC inspections.

The stipulation calculates to \$ 62,500.

A reply with your concurrence is required to proceed with our recommended enforcement action.

A draft of the stipulation and penalty worksheets are attached for your information, review, and concurrence.



ks09015-univ of kansas med ctr wrksht final.xls



ks09015 u of kansas med ctr sag.doc

Enforcement Specialist  
Animal Health and Welfare Review and Enforcement Section  
Investigative and Enforcement Services  
Animal and Plant Health Inspection Service  
U.S. Department of Agriculture  
4700 River Road  
Unit 85 (Room 6B-02.7)  
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### Investigative and Enforcement Services

# Settlement Agreement

USDA, APHIS, IES  
4700 River Road, Unit 85  
Riverdale, MD 20737  
Phone: (301) 734-8684  
Fax: (301) 734-4328

**RESPONDENT:**  
**University of Kansas Medical Center**  
[Redacted] - **Institutional Official**  
**3901 Rainbow Blvd.**  
**1040 Wescoe Pavillion - MS2014**  
**Kansas City, KS 66160**

**CASE NUMBER** **KS09015-AC**  
**DUE ON OR BEFORE**  
**CONTACT** Ms. [Redacted]  
**PHONE** (301) 734-[Redacted]

DATE	CITATION	DESCRIPTION
<b>See Attached Pages</b>		

**PENALTY** \$ **TERMS**

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

**Signature of Respondent:** \_\_\_\_\_ **Date:** \_\_\_\_\_

#### PAYMENT RECORD - FOR IES USE ONLY

Payment Type	Date	Amount	Signature of IES Representative

<u>DATE</u>	<u>CITATION</u>	<u>DESCRIPTION</u>
10-MAR-2009	2.31(d)(2)(iv)(B)	<b>Institutional Animal Care and Use Committee (IACUC).</b> For protocol 2007:1688 failed to include planning and consultation with the attending veterinarian on procedures that may cause more than momentary or slight pain and/or distress to animals.
(C)		ser
	2.33(b)(2)	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care. APHIS observed the following: 1) An investigator cart in procedure room [REDACTED] that contained expired drugs (8 vials) of ketamine (expiration date 6/08) and one bottle of Nembutal Sodium Solution/Pentobarbital 50 mg/ml (exp. 9/1/08) also, butterfly catheters were stored in a drawer with an aerosol can of "Clipperside" spray. 2) In procedure room [REDACTED] housing 4 macaques, a bottle of children's chewable vitamins were stored immediately adjacent to cleaning solutions. 3) In room [REDACTED] an oral pill dispenser was observed being stored in a container with grooming supplies including nail clippers and a comb. A large white rabbit was observed with a persistent, abnormal head tilt to the right. 4) In room [REDACTED], an oral dispensing tube of Panacur (Fenbendazole) was being stored on a soap dispenser adjacent to cleaning chemicals. 5) A macaque was observed with red to brown colored crusty discharge around the resin on his surgically placed acrylic head cap. 6) Twenty six nonhuman primates were observed to have hair loss and/or excessive scratching.
(P)		ser
	2.33(b)(3)	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the daily observation of all animals to assess their health and well-being. APHIS observed several animals that had medical problems that had not been documented by animal caretakers nor communicated to the veterinary staff including a white rabbit (in room [REDACTED] with a persistent, abnormal head tilt to the right; twenty six non human primates with varying amounts of hair loss and excessive scratching, including one animal that was thin.
(R)		ser
	3.56(c)	<b>Sanitation. Housekeeping.</b> Failed to keep premises (building and grounds) clean and in good repair in order to protect animals from injury and to facilitate prescribed husbandry practices. The refrigerator room [REDACTED] was observed with a thick layer of brown to tan dusty material on top. There was also a large quantity of spilled bedding present. In room [REDACTED] there was an uncovered trash can containing waste material.
(C)		Min



<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
10-MAR-2009	3.75(a)	<p><b>Housing Facilities, general. Structure. Construction.</b> <i>all</i> Failed to provide housing facilities for nonhuman primates that is designed and constructed to be structurally sound, kept in good repair, and to protect the animals from injury. APHIS observed cages (18 squirrel monkeys) in room [REDACTED] had a two inch by four inch opening at the front of the enclosures. <i>that</i> The following non human primate rooms had drain covers that had been removed for cleaning and not replaced: room [REDACTED] (2 squirrel monkeys); room [REDACTED] (4 macaques); room [REDACTED] (17 squirrel monkeys); room [REDACTED] (11 squirrel monkeys in front, 11 in back); and room [REDACTED] (18 squirrel monkeys). <i>risks injury to the animal</i></p>
	3.75(c)(1)	<p><b>Housing Facilities, general. Surfaces. General Requirements.</b> Failed to provide surfaces in housing facilities that are constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. In room [REDACTED] (housing 10 macaques), the drywall behind the hose was observed bowing out and had a roughened surface with peeling paint. This area is no longer impervious to moisture and can no longer be effectively cleaned and sanitized.</p>
	3.75(f)	<p><i>CM</i> <b>Housing Facilities, general. Drainage and waste disposal.</b> <i>Failed</i> <del>Failed</del> to provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, dead animals, debris, garbage, water, and any other fluids and wastes, in a manner that minimizes contamination and disease risk. APHIS observed several rooms housing nonhuman primates in which the trashcans were not covered. Rooms with uncovered or partially uncovered trashcans included: [REDACTED] (4 macaques), [REDACTED] (10 macaques), [REDACTED] (6 macaques), and two trashcans on the dirty side of a cage wash used to clean nonhuman primate enclosures. Standing water was observed in the following rooms [REDACTED] (housing 16 squirrel monkeys), room [REDACTED] (housing 18 squirrel monkeys), room [REDACTED] (housing 10 macaques); and room [REDACTED] (housing 3 macaques) standing water was observed on the bottom shelf of the television cart.</p>
	3.81(c)(2)	<p><b>Environment Enhancement to Promote Psychological Well-Being. Special considerations.</b> Failed to provide special attention regarding enhancement of their environment, based on the needs of the individual species and in accordance with the instructions of the attending veterinarian. Twenty-six nonhuman primates had variable degrees of hair loss ranging from partial to full loss of hair on the tail to patchy hair loss on the body. An additional seven nonhuman primates were observed by APHIS to be actively picking or stripping hair from their bodies or exhibiting stereotypic behaviors such as flipping or swaying.</p>

<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
10-MAR-2009	3.81(e)(2)	<b>Environment Enhancement to Promote Psychological Well-Being.</b> Failed to appropriately exempt animals from the environmental enrichment plan. The committee approved an exemption to environment enhancement for squirrel monkeys on protocol 2007:1688; but the IACUC has not approved this exemption on an individual basis. Several squirrel monkeys had variable degrees of hair loss, which can be a sign of psychological distress.
	3.82(a)	<b>Feeding.</b> Failed to provide a diet of food that is clean, wholesome, palatable to the animals, of sufficient nutritive value for non human primates that is appropriate for the species, size, age, condition of the animal, and for the conditions in which the nonhuman primate is maintained. APHIS officials observed three containers of baby food used as treats for non human primates in the investigator lab in room G010. These containers of food were expired.
19-APR-2009	2.31(d)(5)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to conduct continuing review of activities at appropriate intervals as determined by the IACUC. Protocol 2007-1703; Protocol 2008-1735; and Protocol 2007-1680.
	2.31(e)(4)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to have a sufficiently detailed description of the procedures designed to assure that discomfort and pain to animals will be limited to that which is unavoidable. Protocol 2007-1703, a guinea pig protocol, includes conflicting information concerning the dose and/or route of administration of anesthetic and analgesic drugs.
	2.33(b)(2)	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care. APHIS officials observed the following: 1) two squirrel monkeys (ID#668 and ID#702) were observed wearing beaded metal collars that were rusty; 2) Macaque (ID#99R1027) was prescribed acetaminophen, but was given ibuprofen instead; 3) Medical records for a male macaque (ID#99R1027) stated that the chamber had not been cleaned in 3 weeks; 4) Medical records for macaque (ID#0A0) do not document that any veterinarian performed any evaluations, physical examinations, diagnosis, or developed any treatment plan from 10/07/08 through 10/16/08; and 5) In protocol 2008-1735 failed to weigh monkeys on a regular basis to check for normal weight gain as stated in the protocol.

<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
14-APR-2009	2.33(b)(3)	<p><b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the daily observation of all animals to assess their health and well-being. Checklists reviewed at this inspection showed that completion of daily observations (health check) were not documented on four occasions; all of which were on the weekend; Room [REDACTED] (April 11 and April 12); Room [REDACTED] (April 4 and April 5), <del>no daily health check was documented.</del></p>
	3.75(c)(1)	<p><b>Housing Facilities, General. Surfaces.</b> Failed to have facilities made of materials that allow them to be readily cleaned and sanitized as required. In room [REDACTED] housing 15 squirrel monkeys, there were areas of chipping and peeling paint on the wall in at least two areas exposing the bare cinder blocks which cannot be effectively cleaned and sanitized.</p>
	3.75(c)(1)(i)	<p><b>Housing Facilities, General. Surfaces.</b> Failed to have fixtures constructed of materials that allow them to be readily cleaned and sanitized as required and free of excessive rust. A metal hook on one of the straps used to secure the perches in a squirrel monkey enclosure had rusted to the point that it could no longer be effectively cleaned and sanitized.</p>
	3.75(e)	<p><b>Housing Facilities, General. Storage.</b> Failed to store supplies of food and bedding in a manner that protects the supplies from spoilage, contamination, and vermin infestation. A pallet of bedding in the second floor storage room, used to store primate feed and other animal supplies was stored against the wall, preventing the required cleaning (SOP HUSB 1 Food, Water, and Bedding Management).</p>
	3.81(b)	<p><b>Environment Enhancement to Promote Psychological Well-Being.</b> Failed to develop and follow a program of monitoring and maintenance to ensure that all enrichment items for nonhuman primates are kept in good repair and can be effectively cleaned and sanitized. At least 4 metal circular discs, which are supposed to be reflective and act as mirrors to provide enrichment for the nonhuman primates were scratched to the point that the surface was no longer reflective. At least three "chew toys" observed to be chewed to the point that the surface was extremely grooved and pitted to the point that they could no longer be effectively cleaned and disinfected.</p>

<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
14-APR-2009	3.81(c)(2)	<b>Environment Enhancement to Promote Psychological Well-Being. Special Considerations.</b> Failed to provide special attention regarding enhancement of their environment, based on the needs of the individual species and in accordance with the instructions of the attending veterinarian. Several nonhuman primates had variable degrees of hair loss ranging from partial to full loss of hair on the tail to patchy hair loss on the body; several were observed by APHIS to be actively picking and showing signs of possible psychological distress.
	3.125(c)	<b>Facilities, General. Storage.</b> Failed to develop and follow a program that ensures that all supplies of food and bedding are stored in facilities which adequately protect such supplies from deterioration, molding, or contamination by vermin. The ground floor storage room used to store gerbil bedding was nearly filled with pallets of bedding leaving only a small open area at the entrance of the room, preventing the required cleaning (SOP _____ HUSB 1 Food, Water, and Bedding Management).
30-JUN-2009	2.31(d)(5)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to conduct continuing review of activities at appropriate intervals as determined by the IACUC. Investigators for Protocol 2008-1735 are not conducting animal activities as delineated in the IACUC approved protocol. MRI anesthetic procedures states that nonhuman primates will be tranquilized with ketamine. The laboratory written procedure for MRI utilized by the laboratory staff states that the animals are given a full dose of ketamine followed by a "Dormitor" for transport, which is then followed by a ½ dose of ketamine every 30 minutes thereafter.
	2.31(e)(2)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to ensure that all protocols include an appropriate rationale for the number of animals to be use. Protocol 2009-1796 did not contain a scientific justification for the appropriateness of the number of animals being used.
	2.31(e)(3)	<b>Institutional Animal Care and Use Committee (IACUC).</b> Failed to provide a complete description of the proposed use of the animals to facilitate the evaluation of the protocols by the IACUC. Protocol 2007-1680 did not contain a complete description of the proposed use of the animals.

<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
30-JUN-2009	2.33(b)(2)	<b>Attending Veterinarian and Adequate Veterinary Care.</b> Failed to establish and maintain adequate programs of veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care. Animal records showed that medications were not administered as prescribed by the veterinarian: Macaque #AV82- four missed doses of metronidazole; macaques #5A9, 5A3, 702, 3A1- missed one dose metronidazole; macaque #99R1837 missed one dose cephalixin; and squirrel monkey #11F - missed one dose "Rimadyl".

R

# Animal Care Penalty Worksheet

(b)(2) high

(No less than \$200)

Agency Stipulation Recommendation:

\$62,500.00

Case Number KS09015-AC  
Univ. Of Kansas Med. Ctr.  
Wrksht final.

T09B Animal Care Penalty Worksheet  
(Occurred on/after 6/18/08) Rev

10/9/08

Page 27 redacted for the following reason:

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(b)(2)High

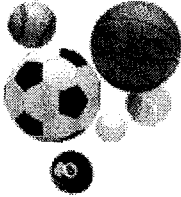
Bernadette R  
Juarez/MD/APHIS/USDA  
03/26/2010 01:54 PM

To [redacted]/MD/APHIS/USDA@USDA  
cc Robert M Gibbens/CO/APHIS/USDA@USDA  
bcc  
Subject Fw: KS09015 - - University of Kansas Medical Center

[redacted]  
Please review Dr. Gibbens' message below and see me when you have a moment.

Thanks,  
B.  
Bernadette Juarez, Deputy Director  
Investigative and Enforcement Services  
Animal and Plant Health Inspection Service  
U.S. Department of Agriculture  
4700 River Road  
Unit 85 (Room 6B-03B)  
Riverdale, Maryland 20737  
(301) 734-0884  
(301) 734-4328 (facsimile)  
bernadette.r.juarez@aphis.usda.gov

----- Forwarded by Bernadette R Juarez/MD/APHIS/USDA on 03/26/2010 01:53 PM -----



Robert M  
Gibbens/CO/APHIS/USDA  
03/26/2010 01:00 PM

To Bernadette R Juarez/MD/APHIS/USDA@USDA  
cc  
Subject Fw: KS09015 - - University of Kansas Medical Center

Bernadette - - I tried to call, but figured you must be off today. I believe we chatted briefly about this case previously. KU would like to pay a stip and move on.

I reviewed the case, and came up with 63 substantiated allegations. As I plug that into the penalty chart, that amounts to a stip of \$78,750. KU would pay that amount (will probably pay anything under 80K or so). KU is interested in dispatching with this as quickly as possible. Let me know how you would like to proceed. I can forward this recommendation to Ruth Ann, as I normally would, or we can go some other route. I'm in Mon and Tues of next week.....Bob

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The investigative report documents the findings from 5 inspections in 2008 and 2009. Inasmuch as KU has no prior enforcement actions on file, repeat and direct NCIs should be used for sanction determination. The following are the alleged violations for sanction determination (note: all are supported by multiple APHIS witnesses and/or photos and/or other documentation):

- 3/10/09** (39 counts)
- 2.31(d)(2)(iv)(B)**.....1 count (the attending veterinarian was not involved in the planning/consulting for procedures that may cause more than momentary or slight pain or distress)
- 2.33(b)(2)**.....30 counts



- outdated anesthetics stored/intermingled with pharmaceuticals that were currently being used
- oral pharmaceuticals that were being used were stored/intermingled with cleaning solutions (potential contamination)
- rabbit with head tilt
- macaque with discharge around head cap
- 26 NHPs with excessive scratching and/or hair loss...these animals had not been evaluated by a veterinarian

2.33(b)(3).....1 count (animals not being observed daily)

3.56(c).....1 count

- receiving room, Room [REDACTED] Room [REDACTED]

3.75(a).....1 count

- Room [REDACTED] Drain covers

3.75(c)(1).....1 count (Room [REDACTED])

3.75(f).....1 counts

- uncovered trash cans in several animal rooms, standing water in several animal rooms and hallway
- 3.81(c)(2).....1 count (failure to provide the 26 monkeys with hair loss/scratching mentioned in 2.33 above with special attention regarding enhancement of their environment)
- 3.81(e)(2).....1 count (failure to appropriately exempt animals from the environmental enrichment plan)
- 3.82(a).....1 count (use of expired baby food as treats - - some expired for over 1 year)

#### 4/14/09 (14 counts)

2.31(d)(1)(ii).....we cannot include this count, as we do not prevail here if our allegation is based on questioning the terms used for the search

2.31(d)(5).....1 count

- Protocol 2007-1703, Protocol 2008-1735, Protocol 2007-1680

Section 2.31(e)(3).....I'm not counting the 3 protocols here as they were already counted under 2.31(d)(5)

Section 2.31(e)(4).....1 count (conflicting information re dose and route of analgesia/anesthesia for Protocol 2007-1703)

2.33(b)(2).....5 counts

- rusted collars/frayed jackets for squirrel monkeys
- macaques given ibuprofen instead of acetaminophen
- cortical chamber not cleaned on macaque
- veterinary evaluations called for on 2007-1680 were not done
- failure to weigh animals on restricted diets (as called for)
- NOTE: we are not pursuing citations involving medical records 'only'

2.33(b)(3).....1 count (animals not being observed daily)

3.75(c)(1).....1 count (Room [REDACTED])

3.75(c)(1)(i).....1 count (rusted squirrel monkey enclosure)

3.75(e).....1 count (bedding storage)

3.81(b).....1 count (enrichment items not maintained in good repair)

3.81(c)(2).....1 count (failure to provide the NHPs exhibiting signs of psychological distress with special attention regarding enhancement of their environment)

3.125(c).....1 count (storage of gerbil bedding)

#### 6/30/09 (10 counts)

2.31(d)(1)(ii).....we cannot include this count, as we do not prevail here if our allegation is based on questioning the terms used for the search

2.31(d)(5).....1 count (Protocol 2008-1735)

Section 2.31(e)(2).....1 count (Protocol 2009-1796)

Section 2.31(e)(3).....1 count (Protocol 2007-1760)

2.33(b)(2).....7 counts (Medications not given as prescribed by the veterinarian)

- Macaque AV82
- Macaque 5A9
- Macaque 5A3
- Macaque 7O2
- Macaque 3A1

- Macaque 99R1837
- Squirrel monkey 11F

Statutory Factors

Gravity = serious; given the high number of repeat noncompliances, the overall gravity is serious

Size = large

Priors = none

Good faith = no evidence of good for or a lack of good faith



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970-494-7478  
Fax: 970/494-7461

RE: REGISTRATION UPDATE  
Certificate Number: 48-R-0003  
Renewal Date: 05/04/2010

February 26, 2010  
Customer ID Number: 1460

Thomas R. Field, Msed, Mhsa  
University Of Kansas Medical Center  
3901 Rainbow Blvd  
1040 Wescoe Pavilion - Ms 2014  
Kansas City, KS 66160

Dear Registrant:

This is a reminder that your Animal Welfare Registration is due for update ON or BEFORE the renewal date shown above. This is the only notice you will receive.

The Code of Federal Regulation (9 CFR), Subpart B, Sections 2.25 and 2.30 states that all registrants must update the information on their registration every 3 years. Please complete the enclosed Application for Registration (Aphis Form 7011) and sites listing, and return them to this office before your anniversary date. After receiving the completed forms, we will mail you a copy of the completed forms and a new registration certificate.

Please note that you must have an approved, complete and up-to-date program of veterinary care form (PVC) on file at your place of business. You can obtain blank PVC forms -- or any other forms you may need -- directly from this office or your USDA inspector. The AWA also requires that you report to us any changes in your name, address, location, management, control or ownership of your business via Certified Mail within 10 days after the change has occurred.

The AWA also requires that you report to us any changes in your name, address, location, management, control or ownership of your business via Certified Mail within 10 days after the change has occurred.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at (970) 494-7478 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens, D V M  
Regional Director - Animal Care  
Western Region

cc: Natalie Cooper, D.V.M.

Enclosures



**UNITED STATES DEPARTMENT OF AGRICULTURE**  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
INVESTIGATIVE AND ENFORCEMENT SERVICES

**REPORT OF INVESTIGATION**

**Case Number:** KS09015-AC

**Subject(s):** University of Kansas Medical  
(Contact Information) Center  
[Redacted] - Institutional  
Official  
3901 Rainbow Blvd  
1040 Wescoe Pavillion - MS2014  
Kansas City Kansas 66160  
(913)-538-[Redacted]

**Investigator:** [Redacted]  
(Contact Information) USDA APHIS IES  
2150 Centre Avenue  
Bldg B 3W10  
Fort Collins Colorado 80526  
970-494-[Redacted]  
620-202-[Redacted]

[Redacted]  
USDA APHIS IES  
2150 Centre Avenue  
Bldg B 3W10  
Fort Collins Colorado 80526  
970-494-[Redacted]  
573-352-[Redacted]

[Redacted]  
USDA APHIS IES  
2150 Centre Avenue  
Bldg B 3W10  
Fort Collins Colorado 80526  
970-494-[Redacted]  
573-233-[Redacted]

**Date of Report:** 02/18/10

**Substantiated allegation(s)**

**No violation(s)**

- Insufficient evidence**
- Fact finding**
- Contains Confidential Business Information**

**FOR OFFICIAL USE ONLY**

This document and its contents are not to be distributed outside your agency, or duplicated, without prior consent from USDA APHIS Investigative and Enforcement Services.

Reviewer(s) \_\_\_\_\_

SYNOPSIS

USDA APHIS Animal Care conducted five inspections at the University of Kansas Medical Center (UKMC) Kansas City, Kansas on 8/27/08, 12/18/08, 3/10/09, 4/14/09, and 6/30/09. The USDA APHIS AC inspections document UKMC's failure to submit an Annual Report and their repeated failure to provide veterinary care; cleaning and facility maintenance; Institutional Animal Care Use Committee (IACUC) oversight, feeding, sanitation, drainage and waste disposal, primary enclosures, numerous violations that affect the psychological well being of nonhuman Primates, and an inadequate number of properly trained employees.

**BACKGROUND**

**Subject(s) Information**

UKMC is registered with USDA as a Research Facility with registration number 48-R-0003 (Exhibit 1). UKMC's 2009 Annual Report to USDA is (Exhibit 2). UKMC is a Division of the University of Kansas Center for Research (Exhibit 3). The University of Kansas Center for Research is registered with the Kansas Secretary of State as a Not for Profit Corporation, corporation number 0031468 (Exhibit 4).

**Subject(s) Previous History**

*Prior Enforcement Actions*

A review of the IES Tracking System shows no previous history for UKMC.

*Prior Adjudications*

N/A

NARRATIVE

Basis for Investigation

On 4/14/09, Dr. Robert Gibbens, Director Western Region USDA APHIS AC, requested USDA APHIS IES initiate an investigation of UKMC for: repeated failure to provide adequate veterinary care, repeated failure to properly clean and maintain facilities, numerous IACUC oversight violations, numerous violations that affect the psychological well-being of nonhuman Primates, and an inadequate number of properly trained employees (Exhibit 5).

Investigative Findings

**August 27, 2008**

On 8/27/08 Dr. Katheryn Ziegerer (USDA APHIS AC Veterinary Medical Officer (VMO)) and Dr. Jamilon Niemann (USDA APHIS AC VMO) conducted an inspection at UKMC (Exhibit 6) and documented the following non-compliant items:

UKMC – IACUC failed to provide a specific plan and schedule for correction dates on deficiencies identified in the IACUC Fall 2007 and Spring 2008 Facility Reviews (Exhibit 7-8).

Adequate Veterinary Care - UKMC failed to provide adequate veterinary care for nonhuman primates.

Feeding - UKMC failed to provide wholesome food for guinea pigs.

Housekeeping - UKMC failed to provide adequate housekeeping of rabbit housing facilities; Inspection Photographs (Exhibit 9).

Structure, Construction - UKMC failed to maintain the surfaces in nonhuman primate housing facilities; Inspection Photographs (Exhibit 10).

Surfaces, General Requirements - UKMC failed to maintain the surfaces of nonhuman primate housing facilities so that they were impervious to moisture. Inspection Photographs (Exhibit 11).

Drainage and Waste Disposal - UKMC failed to provide adequate drainage and waste disposal for necropsy samples and medications. Inspection Photographs (Exhibit 12).

Feeding - UKMC failed to provide wholesome for nonhuman primates as the enrichment foods being fed were expired.



On 12/18/08 Dr. Ziegerer conducted an inspection of UKMC (Exhibit 13). Dr. Ziegerer documented the UKMC Annual Report dated 11/12/08 (Exhibit 14 (Section 9.E)) failed to include two exemptions to the AWA which had been approved by UKMC IACUC Committee (Exhibit 15 (Section 11.1 and 11.8.5)).

### March 10, 2009

On 3/10/09 Dr. Ziegerer and Dr. Tanya Tims (USDA APHIS AC Supervisory Veterinary Medical Officer (SVMO)) conducted an inspection of UKMC (Exhibit 16) that documented the following non-compliant items:

UKMC IACUC – IACUC Committee Minutes dated 10/16/07 and 11/20/07(Exhibit 17 (Section 5.0) and Exhibit 18 (Section 6.0)) approved Protocol 2007-1688, the PI failed to include planning and consultation with the attending veterinarian on procedures that cause more than momentary or slight pain or distress to animals.

UKMC IACUC – IACUC Committee Minutes dated 10/16/07 and 11/20/07(Exhibit 17 (Section 5.0) and Exhibit 18 (Section 6.0)) approved Protocol 2007-1688 (Exhibit 19 (Section 6.1)) that failed to justify by scientific reason the use of an animal in more than one major operative procedure.

UKMC IACUC – IACUC Committee Minutes dated 10/16/07 and 11/20/07(Exhibit 17 (Section 5.0) and Exhibit 18 (Section 6.0)) approved Protocol 2007-1688 (Exhibit 19 (Section 6.1)) that failed to justify for scientific reasons procedures that may cause more than momentary or slight pain or distress to the animal.

UKMC IACUC failed to conduct appropriate reviews of animals activities to ensure the Protocol 2007-1688 (Exhibit 19 (Section 9.0)) manipulative environment enhancement exemption has not had a negative impact on the welfare of the animals: and failed to conduct appropriate reviews of animals activities to ensure the 10-30 minute monitoring of non-human primates that had transferred from the surgical table to the incubator Protocol 2007-1688 (Exhibit 19 (Section 6.3.5)) and Laboratory Animal Record #1911 (Exhibit 20). Principal Investigator Dr. (b)(6), (f) responded (Exhibit 21) to this item.

UKMC IACUC failed to make recommendations to the Institutional Official regarding any aspect of the animal facility. UKMC IACUC Meeting Minutes 3/24/08, 4/14/08, 5/20/08, 6/17/08, 7/15/08 and 8/19/08 (Exhibits 22-27) indicate increased research activity has exceeded the existing infrastructure;

UKMC IACUC failed to ensure the principal investigators for Protocol 2007-1688 (Exhibit 19 (Section 5.3)) and Protocol 2007-1686 (Exhibit 28 (Section 5.3)) considered alternatives to procedures that may cause more than momentary or slight pain or distress to the animal. Dr. Ziegerer by affidavit (Exhibit 29) and Protocol 2007-1686 Principal Investigator Dr. (b)(6), (f) by response (Exhibit 30) provide additional response to this item.

UKMC IACUC failed to ensure Protocol 2007-1688 (Exhibit 19 (Section 5.3, 6.3.4, 6.3.5)) was designed to assure that discomfort and pain to animals are limited in sufficient detail for the IACUC to

determine whether or not the procedures are adequate to protect the welfare of the animals. Dr. Ziegerer provides additional response to this item (Exhibit 29).  
FOIA 10-549

UKMC IACUC failed to ensure a complete description of the proposed use of the animals and is not specific on how many major survival surgeries each animal will undergo prior to euthanasia Protocol 2007-1688 (Exhibit 19 (Section 6.1)); Adequate Veterinary Care – documents numerous non-compliant veterinary care issues Inspection Photographs (Exhibit 31). Dr. Ziegerer provides additional response to this item (Exhibit 29).

Adequate Veterinary Care - UKMC failed to establish and maintain adequate programs of daily observation of animal Husbandry Room Checklists (Exhibit 32).

Annual Report – UKMC did not report any nonhuman primates on the Annual Report (Exhibit 33) upon which experiments, research, surgery, or tests were conducted involving pain or distress to the animals for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results or interpretation of the teaching, research, experiments, surgery or tests. UKMC Amended Annual Report 4/3/09 (Exhibit 34) and Protocol 2007-1688 (Exhibit 19 (Section 5.3)) documents inaccurate pain classifications.

Annual Report – UKMC did not report at least thirty two nonhuman primates on the annual report as being bred, conditioned or held (Exhibit 33). UKMC Amended Annual Report 4/3/09 (Exhibit 34) lists three dogs, five guinea pigs, twenty hamsters and twenty three nonhuman primates as being bred, conditioned or held. Dr. Ziegerer provides additional response to this item (Exhibit 29).

UKMC 2008 Annual Report Amendment (Exhibit 35) documents UKMC IACUC approved an exemption to housing standards to allow one nonhuman primate to be housed in an enclosure that did not meet minimum height requirements was in effect for approximately one month. IACUC Meeting Minutes March-May 2008 documents IACUC exemption approval more than one month (Exhibit 23-25).

Facilities, General – Structural Strength, Inspection Photographs (Exhibit 36) document UKMC failed to ensure housing facilities were kept in good repair.

Sanitation – Housekeeping, Inspection Photographs (Exhibit 37) document UKMC failed to keep facilities free of clutter, spilled feed, unused items, and open trash containers.

Sanitation – Pest Control; UKMC failed to have an adequate program for the control of insects.

Employees - UKMC failed to have appropriately trained employees in regards to proper sanitation practices.

Housing Facilities – Structure- Construction, Inspection Photographs (Exhibit 38); UKMC failed to maintain housing facilities for nonhuman primates which were structurally and protected the animals from injury.

Housing Facilities – Surfaces, Inspection Photographs (Exhibit 39); UKMC failed to maintain the surfaces of housing facilities in good repair and could be readily cleaned and sanitized.

FOIA 10-549  
Housing Facilities – Storage, Inspection Photographs (Exhibit 40); UKMC failed to properly store cleaning and food supplies.

Housing Facilities – Drainage/Waste Disposal, Inspection Photographs (Exhibit 41); UKMC failed to have adequate drainage and waste disposal systems to rapidly remove standing water.

Housing Facilities – Surfaces – Cleaning, Inspection Photographs (Exhibit 42); UKMC failed to adequately clean and sanitize housing facility surfaces and primary enclosures of nonhuman primates.

Housing Facilities – Surfaces, Inspection Photographs (Exhibit 43). UKMC failed to maintain housing facility surfaces which were free of rust and could be adequately cleaned and sanitized.

Primary Enclosures, Inspection Photographs (Exhibit 44); UKMC failed to provide the minimum space requirements for nonhuman primates. Dr. Ziegerer provides additional response to this item (Exhibit 29).

Environment Enhancement – Social Grouping, SOP PROG 8 (Exhibit 45); UKMC failed to address the group and social housing requirements for nonhuman primates which live in social groups in the wild.

Environment Enhancement – Environmental Enrichment, Inspection Photographs (Exhibit 46); UKMC failed to provide environmental enrichment items and toys which were in good repair.

Environment Enhancement – SOP PROG 8 (Exhibit 45) and Protocol 2007-1688 (Exhibit 19 (Section 9.0)). UKMC failed to provide adequate environment enhancement items for nonhuman primates.

Environment Enhancement – Special Considerations, SOP PROG 8 (Exhibit 45); UKMC failed to house nonhuman primates in a manner which allowed the animals to be visible to each other.

Environment Enhancement – Exemptions, Protocol 2007-1688 (Exhibit 19 (Section 9.0)) and IACUC Committee Meeting Minutes (Exhibit 47 and 23.); UKMC failed to approve environment enhancement exemptions on an individual animal basis and failed to review the exemptions to ensure animals were not negatively affected.

Environment Enhancement – Special Considerations; UKMC failed to develop and follow an enhancement plan for nonhuman primates which were exhibiting signs of psychological distress.

Feeding, Inspection Photographs (Exhibit 48); UKMC failed to provide wholesome food to nonhuman primates as treats being fed were past their expiration dates.

Sanitization, Inspection Photographs (Exhibit 49); UKMC failed to adequately sanitize primary enclosures as the cagewash was incapable of reaching 180 degrees F.

Housekeeping, Inspection Photographs (Exhibit 50); UKMC failed to provide adequate housekeeping in nonhuman primate housing facilities.

Pest Control, Inspection Photographs (Exhibit 51); UKMC failed to have an effective program for the control of rodents.

FOIA 10-549  
Employees; UKMC failed to have a sufficient number of adequately trained employees to provide for the proper care and handling of nonhuman primates.

Facilities – Storage, Inspection Photographs (Exhibit 52); UKMC failed to properly store supplies of hay.

Sanitation, Inspection Photographs (Exhibit 53); UKMC failed to adequately clean and sanitize gerbil enclosures as the cagewash was incapable of reaching 180 degrees F.

Pest Control, Inspection Photographs (Exhibit 54); UKMC failed to have an effective program for the control of pests in the gerbil storage room.

Housekeeping, Inspection Photographs (Exhibit 55); UKMC failed to provide adequate housekeeping in the housing facilities of gerbils.

Employees; UKMC failed to have a sufficient number of adequately trained employees to provide the professionally acceptable level of husbandry practices.

#### April 14, 2009

On 4/14/09 Dr. Ziegerer and Dr. Ruth Bakker (USDA APHIS AC VMO) conducted an inspection (Exhibit 56) at UKMC that documented the following non-compliant items:

UKMC IACUC – Protocol 2008-1735 (Exhibit 57 (Section 5.3)) and Protocol 2008-1703 (Exhibit 58 (Section 5.3)) and Protocol 2008-1680 (Exhibit 59 (Section 5.3)) do not include terms that relate to the procedures that may cause more than momentary or slight pain or distress to the animals. Protocol 2008-1735 Principal Investigator [REDACTED], response (Exhibit 60), Protocol 2008-1703 Principal Investigator [REDACTED] response (Exhibit 61). Protocol 2008-1680 Principal Investigator [REDACTED] response (Exhibit 62).

UKMC IACUC failed to ensure personnel conducting procedures on regulated species must be appropriately qualified and trained. Protocol 2008-1703 (Exhibit 58 (Section 6.9)), Protocol 2008-1703 Principal Investigator ([REDACTED] and Research Assistant ([REDACTED] Training Records (Exhibit 63) and [REDACTED] response (Exhibit 61).

UKMC IACUC failed to conduct appropriate reviews of animal activities to ensure the principle investigators are conducting animal activities as delineated in Protocol 2007-1703 (Exhibit 58 (Section 5.3) (Section 6.3.3)(Section 6.9)), Protocol 2008-1735 (Exhibit 57 (Section 6.6)(Section 6.1)), Protocol 2008-1680 (Exhibit 59 (Section 6.1) (Section 6.4.2)(Section 6.5)), Lab Animal Records B5-AL11 and B4-2A0 and B2-4A4 and A5-3A5 and A2-5A9 and C1-57Z and C2-5A# (Exhibit 64), Protocol 2008-1703 Principal Investigator [REDACTED] response (Exhibit 61), Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60), Protocol 2008-1680 Principal Investigator [REDACTED] response (Exhibit 62).

UKMC IACUC failed to ensure that all protocols include an appropriate rationale for the number of animals to be used. Protocol 2007-1680 (Exhibit 59 (Section 5.3) (Section 6.1)) and Protocol 2008-1680 Principal Investigator [REDACTED], response (Exhibit 62).

UKMC IACUC approved protocols that did not contain a complete description of the proposed use of the animals. Protocol 2008-1703 (Exhibit 58) and Protocol 2008-1703 Principal Investigator [REDACTED] response (Exhibit 61). Protocol 2007-1680 (Exhibit 59 (Section 6.1)) and Protocol 2008-1680 Principal Investigator [REDACTED] response (Exhibit 62), Protocol 2008-1735 (Exhibit 57 (Section 6.1)) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60).

UKMC IACUC – approved protocols that did not include a sufficiently detailed description of the procedures designed to assure that discomfort and pain to animals will be limited to animals to that which is unavoidable. Protocol 2007-1703 (Exhibit 58 (Section 6.3.5)) and Protocol 2008-1703 Principal Investigator [REDACTED] response (Exhibit 61).

UKMC IACUC failed to ensure that all protocols to conduct an activity involving animals contain an appropriate description of the method of euthanasia to be used. Protocol 2008-1735 (Exhibit 57 (Section 6.9)(Section 12.0)(Section 6.1)) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60).

Personnel Qualification – UKMC failed to ensure all individuals involved in animal care, treatment and use must be qualified to perform their duties and appropriately trained. SOP 5 Personnel Training (Section 3.5) (Exhibit 65) and Protocol 2008-1735 Principal Investigator [REDACTED] Training Record (Exhibit 66).

Adequate Veterinary Care; UKMC failed to maintain a program of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose and treat animals. Inspection Photographs (Exhibit 67), Laboratory Animal Record for #99R1027 dated 10/14/08 and 12/7/08 (Exhibit 68), Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60), Laboratory Animal Records #0A0 dated 10/7/08 and 10/15-17/08 (Exhibit 69), Research Assistant emails on #0A0 dated 10/8/08 and 10/16/08 (Exhibit 70), Investigator Records #0A0 dated 7/21/08 and 10/15/08 document a 22% weight loss (Exhibit 71), Laboratory Animal Records #3A0 dated 10/7/08, 10/9/08, 10/10/08 (Exhibit 72) and Principal Investigator [REDACTED] and Research Assistant emails dated 10/9/08 and 10/10/08 (Exhibit 73) and #0A0 Medical Records (Exhibit 74) document the animal appears to have met the criteria for euthanasia days prior to being euthanized. Protocol 2007-1703 (Exhibit 58 (Section 6.3.6 and Section 6.5)) and Protocol 2008-1703 Principal Investigator [REDACTED] response (Exhibit 61) document failure to provide adequate veterinary care. Protocol 2008-1735 (Exhibit 57 (Section 6.1)) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60) document failure to provide and maintain adequate programs of veterinary care. Protocol 2008-1735 (Exhibit 57 (Section 6.7)), Primate Master Record #99R1027, #674, #622, #702, #668, #695 (Exhibits 75-80) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60) document the lack of a system of health records of sufficiently comprehensive to demonstrate the delivery of an adequate program of veterinary care.

Inspection Report (Exhibit 56) and Inspection Photographs (Exhibit 81) document UKMC failure of daily observation of all animals to assess their health and well being.

Miscellaneous – Handling, Protocol 2008-1735 (Exhibit 57 (Section 6.4.2)), Primate Master Record #99R1027 (Exhibit 75) and Protocol 2008-1735 Principal Investigator [REDACTED] response (Exhibit 60) document UKMC IACUC failed to ensure adequate handling in respect to approved protocols.

Housing – Surfaces – Inspection Report (Exhibit 56) and Inspection Photographs (Exhibit 82) document UKMC failure of maintenance to ensure all surfaces are free of excessive rust.

Housing – Surfaces, Inspection Report (Exhibit 56) and Inspection Photographs (Exhibit 83) document UKMC failure of maintenance to ensure all surfaces to be readily cleaned and sanitized.

Housing – Storage – Inspection Report (Exhibit 56), Inspection Photographs (Exhibit 84) and SOP HUSB 1 Food, Water and Bedding Management (Exhibit 85 (Section 4.2.7)) document UKMC failure to store bedding in a manner that allows adequate cleaning.

Indoor Housing – Lighting, Inspection Report (Exhibit 56) and Inspection Photographs (Exhibit 86) document failure to provide adequate lighting to permit routine inspection.

Primary Enclosures – Inspection Report (Exhibit 56), Protocol 2007-1688 (Exhibit 19 (Section 10)) documents failure to provide sufficient volume of space.

Environment Enhancement – Inspection Report (Exhibit 56), Inspection Photographs (Exhibit 87) and SOP Prog 8 Promotion of Psychological Well Being of Non-human Primates (Exhibit 88- page 3 (Section 1(c))) document UKMC failed to develop and follow a program of monitoring and maintenance to ensure all enrichment items are kept in good repair.

Environment Enhancement – Inspection Report (Exhibit 56), Inspection Photographs (Exhibit 89), Inspection Video (Exhibit 90) and SOP Prog 8 Promotion of Psychological Well Being of Non-human Primates (Exhibit 88) documents UKMC failure to develop and follow a plan to ensure nonhuman primates showing signs of psychological distress receive considerations with regard to enhancement;

Facilities – Storage, Inspection Report (Exhibit 56), Inspection Photograph (Exhibit 91) and SOP HUSB 1 Food, Water and Bedding Management (Exhibit 85 (Section 4.2.7)) document UKMC failure to store bedding in a manner that allows adequate cleaning.

### June 30, 2009

On 6/30/09 Dr. Ziegerer and Dr. Niemann conducted an inspection (Exhibit 92) at UKMC that documented the following non-compliant items:

UKMC IACUC – Protocol 2007-1619 (Exhibit 93 (Section 19)) and Protocol 2006-1581 (Exhibit 94 (Section 19)) did not include terms that relate to the procedures that may cause more than momentary or slight pain or distress to the animals. Protocol 2007-1619 Principal Investigator Dr. [REDACTED] (Exhibit 95) and Protocol Dr. [REDACTED] 2006-1581 (Exhibit 96) respond to adequate alternatives or alternative methods to more than momentary or slight pain or distress to animals.

UKMC IACUC – Protocol 2007-1619 (Exhibit 93), Protocol 2006-1581 (Exhibit 94), Protocol 2009-1796 (Exhibit 97), Protocol 2007-1680 (Exhibit 59) and Dr. Ziegerer affidavit (Exhibit 29) document four protocols were reviewed and approved by a single member of the IACUC.



UKMC IACUC – Protocol 2008-1735 (Exhibit 57 (Section 6.1 and 6.6)) and MRI Scan Procedures (Exhibit 98) document Principal Investigators are not conducting animal activities as delegated in the approved protocol;

UKMC IACUC – protocol 2009-1796 (Exhibit 97 (Section 6.1 and Section 6.3)) and Dr. Ziegerer affidavit (Exhibit 29) document failure to contain scientific justification for the appropriateness of the number of animals being used.

UKMC IACUC – Protocol 2007-1680 (Exhibit 59 (Section 4.0) and Section 5.0 and Section 6.1)) document failure of the complete description of proposed use of animals;

Adequate Veterinary Care, Animal Treatment Records #AV82, #5A9, #5A3, #702, #3A1 and #99R1837 (Exhibits 99-104) document failure to provide adequate veterinary care; Adequate Veterinary Care, Laboratory Animal Record #11F (Exhibit 105) and Dr. Ziegerer (Exhibit 29) document failure to provide adequate veterinary care;

Indoor Housing Facilities – Lighting, Inspection Report (Exhibit 92) documents failure to provide adequate lighting to permit routine inspection.

On 7/29/09 Dr. Tanya Tims (USDA APHIS AC VMO) confirms assisting Dr. Ziegerer with a UKMC Inspection on 3/10/09 (Exhibit 106).

On 8/5/09 Dr. Jamilon Niemann (USDA APHIS AC VMO) confirms assisting Dr. Ziegerer with UKMC Inspections on 8/27/09 and 6/10/09 (Exhibit 107).

On 8/8/09 Investigator [REDACTED] met with Thomas Field, Interim Associate Vice Chancellor for Compliance of UKMC and received documents that had been requested by IES, to be used as evidence to support the alleged violations (Exhibits 2, 4, 7, 8, 14, 15, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 30, 32, 33, 34, 35, 45, 47, 57, 58, 59, 66, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 85, 88, 93, 94 and 105).

On 10/21/2009, Investigator [REDACTED] contacted Thomas Field, UKMC, by email with questionnaires to be completed by [REDACTED] (IO), Dr. [REDACTED] Dr. [REDACTED] Dr. [REDACTED] Dr. [REDACTED] PI, [REDACTED] PI, [REDACTED] PI and [REDACTED] IACUC Chair. On 12/11/09, Investigator [REDACTED] received an email from Thomas Field containing the completed questionnaires (Exhibits 21, 30, 60, 61, 62, 95, 96, 109, 110 and 111).

E-mails (3) between [REDACTED] (USDA APHIS IES) and Thomas Field UKMC responses to USDA Inspections of UKMC (Exhibit 112).

On 11/30/09 Dr. Ruth Bakker (USDA APHIS AC VMO) confirms assisting Dr. Ziegerer with UKMC Inspection on 4/14/09 (Exhibit 108).

On 12/11/09 Dr. [REDACTED] (UKMC Attending Veterinarian) responded to questions posed by USDA APHIS IES relating to USDA APHIS AC Inspections conducted at UKMC on 8/27/08, 3/10/09, 4/14/09 and 6/30/09 (Exhibit 109).

On 12/11/09 Dr. [REDACTED] (UKMC Vice Chancellor of Administration and UKMC Institutional Official) responded to questions posed by USDA APHIS IES relating to USDA APHIS AC Inspections conducted at UKMC on 8/27/08, 12/18/08, 3/10/09, 4/14/09 and 6/30/09 (Exhibit 110).

On 12/11/09 Dr. [REDACTED] (UKMC IACUC Chairman) responded to questions posed by USDA APHIS IES relating to USDA APHIS AC Inspections conducted at UKMC on 8/27/08, 3/10/09, 4/14/09 and 6/30/09 (Exhibit 111).

E-mail between [REDACTED] (USDA APHIS IES) and [REDACTED] (UKMC Vice Chancellor for Administration Institutional Official) relating to responses to USDA Inspections of UKMC (Exhibit 113).

On 12-14-09, Investigator [REDACTED] received a package from Thomas Field, which contained the attachments that were referenced in Harold Phillips questionnaire (Exhibit 114).

Interview Log prepared by [REDACTED] IES, explaining why UKMC declined to sign affidavits (Exhibit 115).

These findings substantiate the following alleged violation(s):

**9 C.F.R. § 2.31(c)(3) - IACUC functions.**

On 8/27/09, UKMC failed to provide a specific plan and schedule for correction dates on deficiencies identified in the IACUC Fall 2007 and Spring 2008 Facility Review. This regulation requires, if program or facility deficiencies are noted the reports must contain a reasonable and specific plan and schedule with dates for correcting each deficiency.

**9 C.F.R. § 2.31(c)(5) – IACUC functions.**

On 3/10/09, UKMC failed to make recommendations to the Institutional Official regarding increased research activity had exceeded the existing infrastructure creating a need for additional support for the Laboratory Animal Resources. This regulation requires the IACUC make recommendations to the Institutional Official regarding any aspect of the research facilities animal program, facilities or personnel training.

**9 C.F.R § 2.31(d)(1)(ii) – IACUC review of activities involving animals.**

On 3/10/09, 4/14/09, and 6/30/09, UKMC failed to include alternative terms that relate to the procedures that may cause more than momentary or slight pain or distress to the animals. This regulation requires the principal investigator consider alternatives to procedures that may cause more than momentary or slight pain or distress to the animals and has a written narrative description of the methods and sources.

**9 C.F.R § 2.31(d)(1)(iv)(A) – IACUC review of activities involving animals.**

On 3/10/09, UKMC failed to justify for scientific reasons procedures that may cause more than momentary or slight pain or distress to the animal. This regulation requires procedures that may cause more than momentary or slight pain or distress to animals be performed with



appropriate sedatives, analgesics or anesthetics unless withholding such agents is justified for scientific reasons.

**9 C.F.R. § 2.31(d)(1)(iv)(B) – IACUC review of activities involving animals.**

On 3/10/09, UKMC failed to include planning and consultation with the attending veterinarian on procedures that cause more than momentary or slight pain or distress to animals. This regulation requires procedures that cause more than momentary or slight pain or distress to animals involve in their planning, consultation with the attending veterinarian.

**9 C.F.R. § 2.31(d)(1)(viii) – IACUC review of activities involving animals.**

On 4/14/09, UKMC failed to ensure personnel conducting procedures on regulated species were appropriately qualified and trained. This regulation requires personnel conducting procedures on the species being maintained or studied will be appropriately qualified and trained on those procedures.

**9 C.F.R. § 2.31(d)(1)(x) – IACUC review of activities involving animals.**

On 3/10/09, UKMC failed to justify by scientific reason the use of at least one non-human primate that underwent three major survival surgeries. This regulation requires no animal will be used in more than one major operative procedure unless justified.

**9 C.F.R. § 2.31(d)(2) – IACUC review of activities involving animals.**

On 6/10/09, UKMC allowed four protocols to be reviewed and approved by a single committee member without being available to all members for review and approval from each of the committee members. This regulation requires protocols shall be available to all IACUC members for review.

**9 C.F.R. § 2.31(d)(5) – IACUC review of activities involving animals.**

On 3/10/09, 4/14/09 and 6/30/09, UKMC failed to conduct appropriate reviews of animal activities to ensure compliance with compliance with AWA Regulations and Standards. This regulation requires the IACUC shall conduct continuing reviews of activities covered by the AWA at appropriate intervals.

**9 C.F.R. § 2.31(e)(2) – IACUC.**

On 4/14/09 and 6/30/09, UKMC failed to ensure that all protocols include scientific justification for the appropriateness of the number of animals being used for research purposes. This regulation requires a scientific rationale for involving animals, and justification for numbers of animals being used.

**9 C.F.R. § 2.31(e)(3) – IACUC.**

On 3/10/09, 4/14/09, and 6/30/09, UKMC failed to ensure all proposals to conduct animal activities contain a complete description of proposed use of animals. This regulation requires a complete description of the proposed use of animals.

**9 C.F.R. § 2.31(e)(4) – IACUC.**

On 3/10/09 and 4/14/09, UKMC approved protocols that did not include a sufficiently detailed description of the procedures designed to assure that discomfort and pain to animals will be limited to animals to that which is unavoidable. This regulation requires protocols

FOIA 10-549 include a sufficiently detailed description of the procedures designed to assure that discomfort and pain to animals will be limited to animals to that which is unavoidable. 6 of 241

**9 C.F.R. § 2.31(e)(5) – IACUC.**

On 4/14/09, UKMC failed to ensure that all protocols to conduct an activity involving animals contain an appropriate description of the method of euthanasia is to be used. This regulation requires a description of any euthanasia method being used.

**9 C.F.R. § 2.32(a) – Personnel qualifications.**

On 4/14/09, UKMC failed to ensure all individuals involved in animal care, treatment and use must be qualified to perform their duties and appropriately trained. This regulation requires all personnel involved in the animal care, treatment, and use is qualified to perform their duties. This responsibility shall be fulfilled in part through the provision training and instruction.

**9 C.F.R. § 2.33(b)(2) – Adequate Veterinary Care.**

On 8/27/08, 3/10/09, 4/14/09, and 6/30/09, UKMC failed to maintain a program of adequate veterinary care that includes the use of appropriate methods to prevent, control, diagnose and treat animals. This regulation requires the use of appropriate methods to prevent, control, diagnose and treat animals.

**9 C.F.R. § 2.33(b)(3) – Adequate Veterinary Care.**

On 3/10/09 and 4/14/09, UKMC failed to conduct daily observation of all animals to assess their health and well being. This regulation requires daily observations of all animals to assess their health and well being.

**9 C.F.R. § 2.33(b)(5) - Adequate Veterinary Care.**

On 6/30/09, UKMC failed to provide adequate pre-procedural and post-procedural care in accordance with current established veterinary medical and nursing procedures. This regulation requires adequate pre-procedural and post-procedural care in accordance with current established veterinary medical and nursing procedures.

**9 C.F.R. § 2.36(b)(3) – Annual Report.**

On 12/18/08, UKMC's Annual Report failed to include two exemptions to the AWA which had been approved by UKMC IACUC Committee. This regulation requires a summary of all exceptions to the standards and regulations be attached to the facility's annual report.

**9 C.F.R. § 2.36(b)(7) – Annual Report.**

On 3/10/09, UKMC did not report any nonhuman primates on the Annual Report upon which experiments, research, surgery, or tests were conducted involving pain or distress to the animals for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results or interpretation of the teaching, research, experiments, surgery or tests. This regulation requires reporting any nonhuman primates on the Annual Report upon which experiments, research, surgery, or tests were conducted involving pain or distress to the animals for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results or interpretation of the teaching, research, experiments, surgery or tests

**9 C.F.R. § 2.36(b)(8) – Annual Report.**

On 3/10/09, UKMC did not report at least thirty two nonhuman primates on the annual report as being bred, conditioned, or held. This regulation requires reporting the common names and the numbers of animals being bred, conditioned or held for use in teaching, testing, experiments, research or surgery but not yet used for such purposes.

**9 C.F.R. § 2.38(b)(1)(iv) – Miscellaneous – Access and inspection of records and property.**

On 3/10/09, UKMC failed upon multiple direct requests to accompany the USDA Inspectors into a non-human primate room during the inspection. This regulation requires each research facility to allow access and inspection of facilities as APHIS Officials consider necessary to enforce the provisions of the Act.

**9 C.F.R. § 2.38(f)(2)(ii) – Miscellaneous – Handling.**

On 4/14/09, UKMC failed to ensure all approved protocols involving the short term withholding of food and water from animals include a description of monitoring procedures. This regulation requires an IACUC approved activity that involves deprivation of food or water include a description of monitored procedures.

**9 C.F.R. § 2.38(k)(1) – Miscellaneous – Compliance with standards and prohibitions.**

On 3/10/09, UKMC failed to justify an approved exemption to housing standards to allow one nonhuman primate to be housed in an enclosure that did not meet minimum height requirements. This regulation requires each research facility shall comply with all respects with the regulations set forth in 9 CFR 2 (c) and standards set forth in 9 CFR 3.

**9 C.F.R. § 3.25 (a) – Facilities General.**

On 3/10/09, UKMC failed to maintain housing facilities for guinea pigs which were structurally sound and in good repair. This standard requires each housing facilities for guinea pigs to develop a program of monitoring and maintenance to ensure that all facilities are structurally sound, and maintained in good repair.

**9 C.F.R. § 3.29 (a) - Feeding.**

On 8/27/08, UKMC failed to provide wholesome food for guinea pigs. This standard requires each housing facility for guinea pigs provide feed that was free from contamination, wholesome, palatable and sufficient quantity and nutritive value to meet the daily requirements.

**9 C.F.R. § 3.56 (c) – Sanitation – Housekeeping.**

On 8/27/08 and 3/10/09, UKMC failed to keep rooms housing rabbits free from peeling paint, mold and waste materials. This standard requires each housing facility for rabbits develop and follow a program of monitoring and maintenance to ensure that all premises are kept clean and good repair.

**9 C.F.R. § 3.56 (d) – Sanitation – Pest Control.**

On 3/10/09, UKMC failed to keep an animal receiving room free from insects on the floor. This standard requires each housing facility housing rabbits must have an effective program for the control of insects, ectoparasites, and avian and mammalian pests.

**9 C.F.R. § 3.57 Employees.**

On 3/30/09, UKMC failed to keep food/water receptacles clean from tan scaly material. This standard requires each housing facility housing rabbits must ensure that a sufficient number of appropriately trained employees are utilized in order to maintain the prescribed level of husbandry practices.

**9 C.F.R. § 3.75 (a) – Housing Facilities, General.**

On 8/27/08 and 3/10/09, UKMC failed to maintain rooms housing squirrel monkeys in good repair. This standard requires each housing facility housing nonhuman primates to design, construct and maintain facilities that housed nonhuman primates so that they are structurally sound for the species of nonhuman primates housed in them.

**9 C.F.R. § 3.75 (c)(1) Housing Facilities, General – Surfaces.**

On 8/27/08 and 3/10/09, UKMC failed to maintain rooms housing squirrel monkeys free from chipping and peeling paint and surfaces which were impervious to moisture. This standard requires housing facilities for nonhuman primates be constructed in a manner that allows them to be readily cleaned and sanitized.

**9 C.F.R. § 3.75(c)(1)(i) Housing Facilities, General – Surfaces.**

On 3/10/09 and 4/14/09, UKMC failed to maintain rooms housing squirrel monkeys which could be effectively cleaned and sanitized. This standard requires housing facilities housing nonhuman primates to have all surfaces that come in contact with the nonhuman primates free of excessive rust that prevents required cleaning and sanitation.

**9 C.F.R. § 3.75 (c)(3) Housing Facilities, General – Surfaces – Cleaning.**

On 3/10/09, UKMC failed to maintain rooms housing macaques free of excessive accumulation of fecal material, food residue and drip marks of black to gray material. This standard requires each housing facility housing nonhuman primates to ensure that all hard surfaces which nonhuman primates come into contact with are spot cleaned daily and sanitized.

**9 C.F.R. § 3.75 (e) Housing Facilities, General – Storage.**

On 3/10/09 4/14/09, UKMC failed to have cleaning supplies, medicines, food and opened food treats stored in an orderly manner. This standard requires each housing facility housing nonhuman primates develop and follow a program of monitoring and maintenance to ensure that supplies of food and bedding are stored in a manner that protects the supplies from spoilage, contamination, and vermin infestation.

**9 C.F.R. § 3.75 (f) Housing Facilities, General – Drainage and waste disposal.**

On 8/27/08 and 3/10/09 UKMC failed maintain housing facilities of nonhuman primates which were free of standing water on the floors and uncovered trash cans were present. This standard requires housing facilities housing nonhuman primates to provide regular and frequent removal of water and other fluid waste in order to minimize contamination/disease

risk, and drainage is constructed in a manner that minimizes contamination and disease hazard and trash containers must be leak proof and have tightly fitted lids.

**9 C.F.R. § 3.76 (c) Indoor Housing Facilities – Lighting.**

On 4/14/09 and 6/30/09, UKMC failed to have sufficient lighting to perform inspection and to observe the animals. This standard requires each facility housing nonhuman primates to provide adequate lighting to permit routine inspection and must be uniformly diffused throughout animal facilities to provide sufficient illumination to aid in maintaining good housekeeping practices.

**9 C.F.R. § 3.80 (b) (2) (i) Primary Enclosures.**

On 3/10/09, UKMC failed to provide adequate space for one adult squirrel monkey which was being housed in an infant incubator. This standard requires each facility housing nonhuman primates to provide minimum space to each nonhuman primate, whether housed individually or with other primates. This minimum space will be determined by the typical weight of the animal of its species.

**9 C.F.R. § 3.80 (c) Primary Enclosures.**

On 4/14/09, UKMC IACUC approved temporary use of a human infant incubator which did not provide sufficient space for squirrel monkeys while in post-operative recovery. This standard requires the licensee to ensure that all approved innovative enclosures for nonhuman primates provide the nonhuman primates with a sufficient volume of space.

**9 C.F.R. § 3.81 Environment enhancement to promote psychological well-being.**

On 3/10/09, UKMC failed to develop, document, and follow an appropriate plan for environment enhancement to promote the psychological well-being of nonhuman primates. This standard requires an appropriate plan for environment enhancement adequate to promote the psychological well being of nonhuman primates.

**9 C.F.R. § 3.81(a) Environment enhancement to promote psychological well-being – Social grouping.**

On 3/10/09, UKMC failed to ensure an environment enhancement plan with specific provisions to address the social needs of nonhuman primates of species known to exist in social groups in nature. This standard requires the environment enhancement plan must include specific provisions to address the social needs of nonhuman primates of species known to exist in social groups in nature.

**9 C.F.R. § 3.81 (b) Environment enhancement to promote psychological well-being.**

On 3/10/09 and 4/14/09, UKMC failed to provide enrichment reflectors and toys which were in good repair. This standard requires the licensee to develop and follow a program of monitoring and maintenance to ensure that all enrichment items for nonhuman primates are kept in good repair.

**9 C.F.R. § 3.81 (c)(2) Environment enhancement to promote psychological well-being.**

On 3/10/09 and 4/14/09, UKMC failed to keep twenty eight nonhuman primates from exhibiting abnormal stereotypic behaviors that could be associated with psychological distress. This standard requires the licensee to develop and follow a plan to ensure that those

nonhuman primates that show signs of being in psychological distress through behavior or appearance receive special considerations with regard to enhancement of their environment.

**9 C.F.R. § 3.81 (c)(4) Environment enhancement to promote psychological well-being.**

On 3/10/09, UKMC housed seven macaques with no visual contact with other nonhuman primates. This standard requires the licensee ensure a facility plan for environment enhancement is followed and documented for individually housed nonhuman primates.

**9 C.F.R. § 3.81 (e)(2) Environment enhancement to promote psychological well-being.**

On 3/10/09, UKMC IACUC failed to develop and follow a plan to ensure nonhuman primates showing signs of psychological distress were evaluated. This standard requires the IACUC must review at appropriate intervals the exemption of an individual nonhuman primate from participation of environment enhancement.

**9 C.F.R. § 3.82 (a) Feeding,**

On 8/27/08 and 3/10/09, UKMC failed to provide wholesome food for nonhuman primates as food items were past their expiration or best by dates. This standard requires the licensee to develop a program to ensure that all feed is free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value.

**9 C.F.R. § 3.84 (b)(3) Cleaning, Sanitization, Housekeeping, and Pest Control**

On 3/10/09, UKMC failed to sanitize nonhuman primate enclosures with required temperatures of at least 180 degrees on at least three dates. This standard requires all hard surfaces of primary enclosures housing nonhuman primates be cleaned and sanitized by live steam or washing with at least 180 degree hot water.

**9 C.F.R. § 3.84 (c) Cleaning, Sanitization, Housekeeping, and Pest Control**

On 3/10/09, UKMC failed to have areas housing nonhuman primates free of towels, clothing and other materials which inhibited adequate husbandry practices. This standard requires the licensee to ensure all premises are kept clean and in good repair in order to protect the nonhuman primates from injury and facilitate the husbandry practices.

**9 C.F.R. § 3.84 (d) Cleaning, Sanitization, Housekeeping, and Pest Control**

On 3/10/09, UKMC had a box style rodent trap that was located on the shelf of the television cart rather than on the floor. This standard requires the licensee to have an effective program for control of insects and external parasites.

**9 C.F.R. § 3.85 Employees**

On 3/10/09, UKMC failed to ensure employees were adequately trained in husbandry practices and the care and handling of nonhuman primates. This standard requires the employees who provide husbandry, care, or handle nonhuman primates must be trained and supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of nonhuman primates.

**9 C.F.R. § 3.125 (c) Facilities, General – Storage**

On 3/10/09 and 4/14/09, UKMC failed to have hay and clean bedding stored in a manner which protected the bedding from deterioration and/or contamination. This standard requires the licensee to ensure all supplies of food and bedding are stored in facilities which adequately protect such supplies against deterioration, molding, or contamination by vermin.

**9 C.F.R. § 3.131 (b) Sanitation**

On 3/10/09, UKMC failed to have the cagewash capable of reaching temperatures to ensure adequate sanitation of surfaces. This standard requires the licensee to ensure that all cages are effectively cleaned and sanitized.

**9 C.F.R. § 3.131 (c) Sanitation – Housekeeping**

On 3/10/09, UKMC had accumulations of discarded construction materials in a room used to store bedding for gerbils which inhibited adequate cleaning and sanitation. This standard requires the licensee to keep all premises clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices.

**9 C.F.R. § 3.131 (d) Sanitation – Pest Control,**

On 3/10/09, UKMC failed have an effective program for the control rodents. This standard requires the licensee to provide an effective program for the control of insects, ectoparasites, and avian and mammalian pests.

**9 C.F.R. § 3.132 Employees**

On 3/10/09, UKMC failed to have a sufficient number of adequately trained employees to maintain the professionally acceptable level of husbandry practices. This standard requires a sufficient number of adequately trained employees shall be utilized to maintain the professionally acceptable level of husbandry practices.

These findings indicate that the evidence does not support a violation of the following section(s):

N/A

**MITIGATING AND/OR AGGRAVATING FACTORS**

N/A

**ADDITIONAL INFORMATION**

APHIS form 7023 UKMC Annual Report of Research Facility dated 11/30/09 (Exhibit 116).

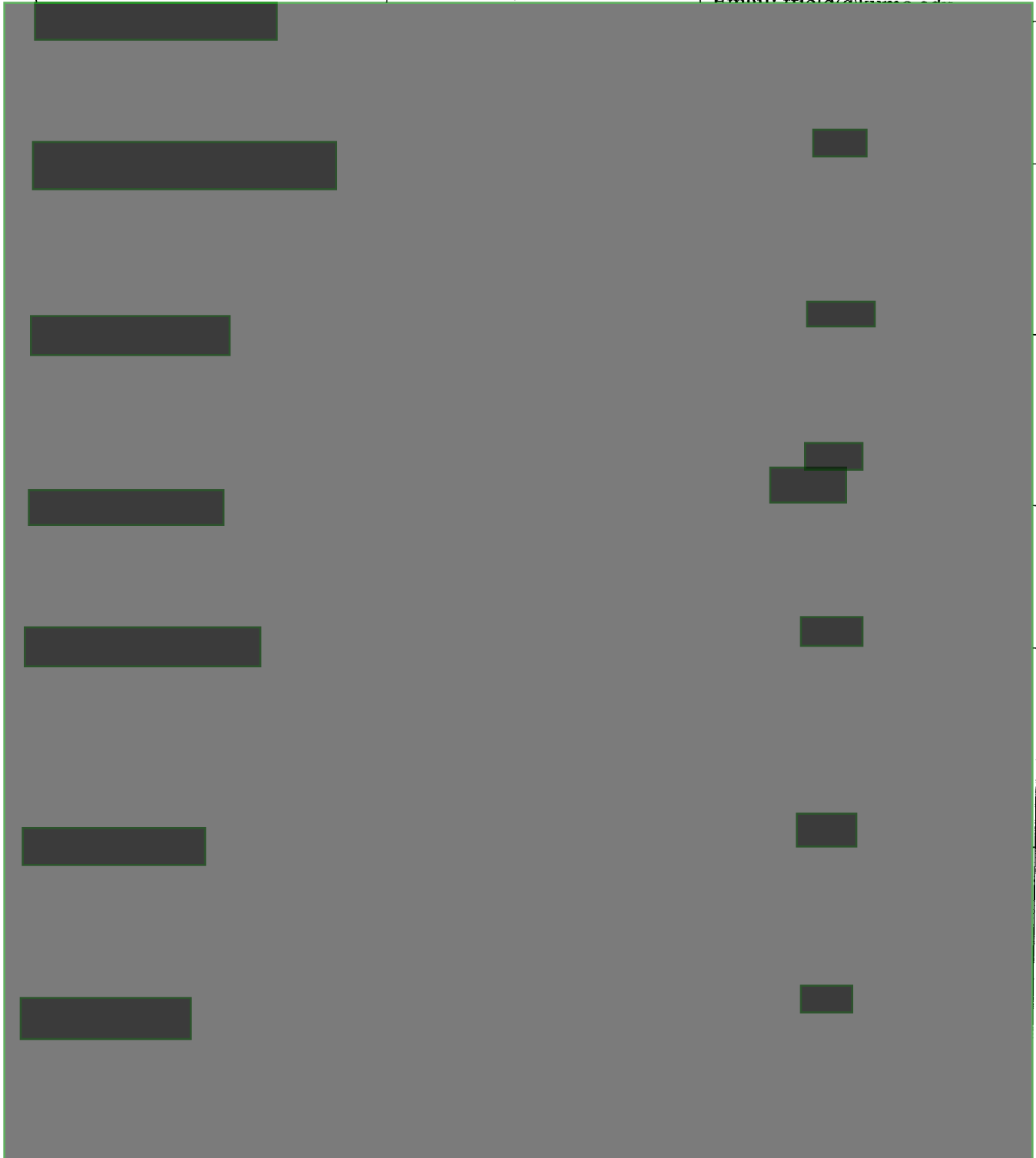


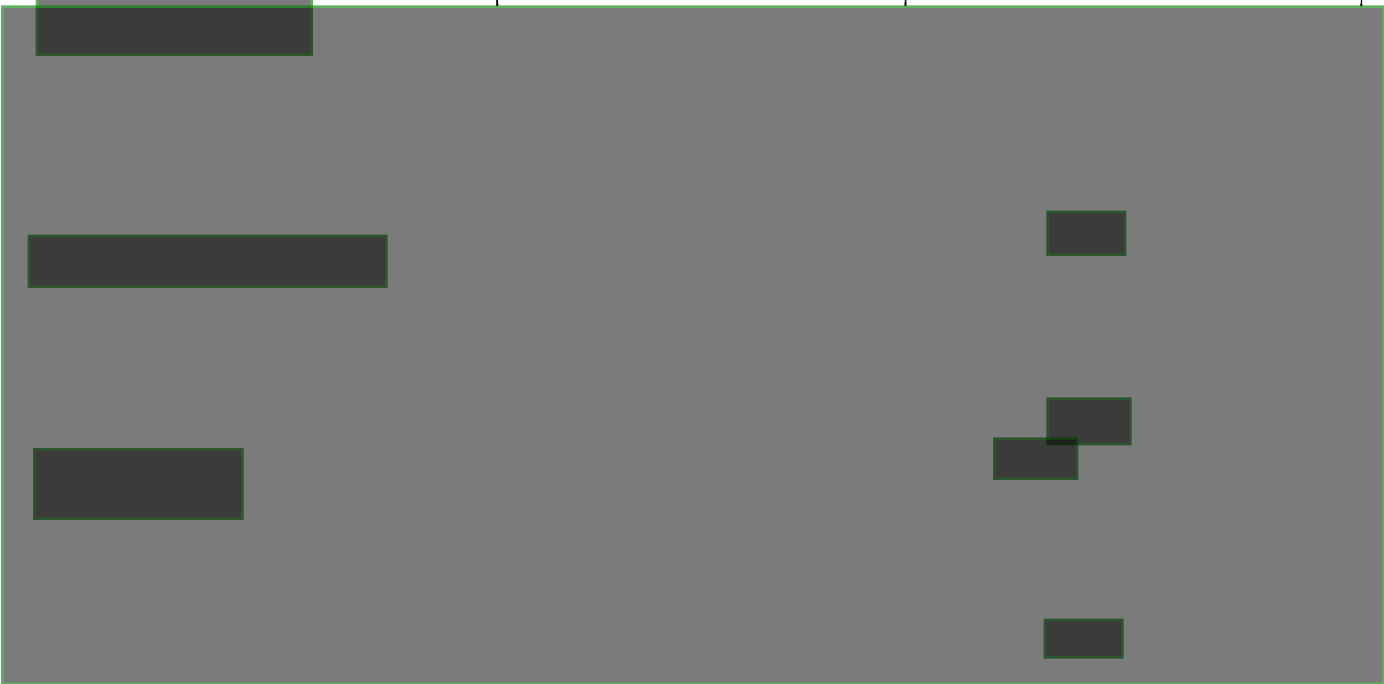
<b><u>WITNESS LIST</u></b>		
<i>Provide First, MI and Last Name with Complete Address</i>		
<b>Name</b>	<b>Title</b>	<b>Address / Phone Number</b>
[REDACTED]	Investigator	USDA, APHIS, IES 2150 Centre Ave, Building B 3W10 Fort Collins, CO 80526 (970) 494-[REDACTED] (620) -202-[REDACTED]
[REDACTED]	Investigator	USDA, APHIS, IES 2150 Centre Ave, Building B 3 W10 Fort Collins, CO 80526 (970) 494-[REDACTED] (573) 352-[REDACTED]
[REDACTED]	Investigator	USDA, APHIS, IES 2150 Centre Ave, Building B 3W10 Fort Collins, CO 80526 (970) 494-[REDACTED] (573)233-[REDACTED]
Katheryn Ziegerer	Inspector (VMO)	USDA, APHIS, AC 2150 Centre Ave. Building B 3W11 Fort Collins, CO 80526 (970) 494-7478
Jamilon Niemann	Inspector (VMO)	USDA, APHIS, AC, VMO 2150 Centre Ave. Building B 3W10 Fort Collins, CO 80526 (970) 494- 7478
Ruth Bakker	Inspector (VMO)	USDA, APHIS, AC 2150 Centre Ave. Building B 3W11 Fort Collins, CO 80526 (970) 494-7478
Tanya Tims	Supervisory Veterinary Medical Officer (SVMO)	USDA, APHIS, AC, VMO 2150 Centre Ave. Building B 3W10 Fort Collins, CO 80526 (970) 494- 7478

Thomas Field

Interim Associate Vice  
Chancellor for Compliance

3901 Rainbow Blvd. Mail Stop  
2014  
Kansas City, Ks 66160  
(913) 588-1206  
Email: tfield@luc.edu





**CASE REPORT DISTRIBUTION (cc)**

**Program Official(s)**

Dr. Robert Gibbens, Regional Director  
USDA, APHIS, AC  
2150 Centre AVE. Bldg. B Mail stop #311  
Fort Collins, CO 80526-8117  
970-494-7474

**IES Manager(s)**

Larry Carson, Great Plains Area Manager  
USDA/ APHIS/ IES

**CASE UPDATES**

**Program Official(s)**

Dr. Robert Gibbens, Regional Director  
USDA, APHIS, AC  
Western Region Director, CO

**Primary Investigator**

[REDACTED]  
USDA, APHIS, IES, [REDACTED] Investigator  
2150 Centre Ave.  
Building B 3W10  
Fort Collins, CO 80526  
(970) 494-[REDACTED]  
(620) -202-[REDACTED]

**IES Area Manager**

FOIA 10-849

97 of 241

Larry Carson  
USDA, APHIS, IES  
2150 Centre Ave.  
Building B 3W10  
Fort Collins, CO 80526  
(970) 494-7485

**IES Deputy Regional Director**

Eric Nickerson  
Deputy Regional Director  
USDA/ APHIS/ IES

**IES Regional Director**

Timothy Fordahl  
Western Regional Director  
USDA/ APHIS/ IES

EXHIBIT LIST

<b>Exhibit #</b>	<b>Description</b>	<b>Date</b>	<b>Total Pages</b>
Exhibit 1	A copy of Registration letter and License Certificate with license number 48 R-0003	04/27/07	2
Exhibit 2	A copy of Annual Report of Research	04/17/09	1
Exhibit 3	A copy of Division of the University of Kansas Center for Research	01/12/10	3
Exhibit 4	A copy of University of Kansas Center for Research is registered with the Kansas Secretary of State	12/12/08	3
Exhibit 5	A copy of Request for investigation	04/14/09	2
Exhibit 6	A copy of USDA inspection Report	08/28/08	5
Exhibit 7	A copy of Institutional Animal Care and Use Facility Review	12/18/07	27
Exhibit 8	A copy of Institutional Animal Care and Use Facility Review	06/17/09	27
Exhibit 9	Copies of photographs taken by Dr. Ziegerer	08/27/08	7
Exhibit 10	Copies of photographs taken by Dr. Ziegerer	08/27/08	3
Exhibit 11	Copies of photographs taken by Dr. Ziegerer	08/27/08	3
Exhibit 12	Copies of photographs taken by Dr. Ziegerer	08/27/08	5
Exhibit 13	A copy of USDA inspection Report	12/18/08	2
Exhibit 14	A copy of University of Kansas Center for Research is registered with the Kansas Secretary of State	11/12/08	1
Exhibit 15	A copy of Institutional Animal Care and Use Committee Minutes	05/20/08	10
Exhibit 16	A copy of USDA inspection Report	03/10/09	29
Exhibit 17	A copy of Institutional Animal Care and Use Committee Minutes	10/16/07	11
Exhibit 18	A copy of Institutional Animal Care and Use Committee Minutes	11/20/07	12
Exhibit 19	A copy of Animal Care and Use Proposal 2007-1688	10/03/07	27

Exhibit 20 FOIA 10-549	Copies of Laboratory Animal record # 1911	06/05/07, 06/06/07 and 07/23/07,	8 99 of 241
Exhibit 21	Questionnaire answered by Dr. [REDACTED]	12/11/09	8
Exhibit 22	A copy of Institutional Animal Care and Use Committee Minutes	03/24/08	10
Exhibit 23	A copy of Institutional Animal Care and Use Committee Minutes	04/14/08	23
Exhibit 24	A copy of Institutional Animal Care and Use Committee Minutes	05/20/08	10
Exhibit 25	A copy of Institutional Animal Care and Use Committee Minutes	06/17/08	8
Exhibit 26	A copy of Institutional Animal Care and Use Committee Minutes	07/15/08	6
Exhibit 27	A copy of Institutional Animal Care and Use Committee Minutes	08/19/08	11
Exhibit 28	A copy of Animal Care and Use Proposal 2007-1686	10/03/07	18
Exhibit 29	Affidavit obtained from Dr. Katheryn Ziegerer	01/21/10	14
Exhibit 30	Questionnaire answered by [REDACTED]	12/11/09	3
Exhibit 31	Copies of photographs taken by Tanya Tims SVMO	03/10/09	87
Exhibit 32	A copy of daily observation of animals Husbandry Room Checklists	2/20/09	6
Exhibit 33	A copy of Annual Report of Research	11/12/08	1
Exhibit 34	A copy of Amended Annual Report of Research	04/03/09	3
Exhibit 35	A copy of Amended Annual Report of Research	01/08/09	1
Exhibit 36	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	2
Exhibit 37	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	11
Exhibit 38	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	31

Exhibit 39 FOIA 10-549	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	13 <sup>100</sup> of 241
Exhibit 40	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	8
Exhibit 41	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	18
Exhibit 42	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	50
Exhibit 43	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	7
Exhibit 44	A copy of photograph taken by Tanya Tims, SVMO	03/10/09	1
Exhibit 45	A copy of SOP PROG 8	N/A	5
Exhibit 46	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	15
Exhibit 47	A copy of Institutional Animal Care and Use Committee Minutes	09/16/08	9
Exhibit 48	A copy of photograph taken by Tanya Tims, SVMO	03/10/09	1
Exhibit 49	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	3
Exhibit 50	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	8
Exhibit 51	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	2
Exhibit 52	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	2
Exhibit 53	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	4
Exhibit 54	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	3
Exhibit 55	Copies of photographs taken by Tanya Tims, SVMO	03/10/09	15



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Exhibit 56	A copy of USDA inspection Report	04/14/09	17
Exhibit 57	A copy of Animal Care and Use Proposal 2008-1735	05/08/08	37
Exhibit 58	A copy of Animal Care and Use Proposal 2007-1703	15/05/07	14
Exhibit 59	A copy of Animal Care and Use Proposal 2007-1680	09/04/07	18
Exhibit 60	Questionnaire answered by [REDACTED]	12/11/09	14
Exhibit 61	Questionnaire answered by [REDACTED]	12/11/09	6
Exhibit 62	Questionnaire answered by [REDACTED]	12/11/09	9
Exhibit 63	Copies of LAR Training Record	12/12/06	5
Exhibit 64	Copies of Lab Animal Records B5-AL11 and B4-2A0 and B2-4A4 and A5-3A5 and A2-5A9 and C1-57Z and C2-5A	12/11/07	7
Exhibit 65	A copy of SOP PROG 5 Personnel Training	3/09	5
Exhibit 66	A copy of Principal Investigator [REDACTED] Training Record	03/02/07	19
Exhibit 67	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	18
Exhibit 68	Copies of Laboratory Animal Record for #99R1027	10/14/08 and 12/07/08	5
Exhibit 69	Copies of Animal Records for animal OAO	10/07/08, 10/15/08 and 10/16/08	4
Exhibit 70	Copies of Emails with concerns for animal 0A0	10/08 and 10/16/08	2
Exhibit 71	Copy of Primate Master record for 0A0	12/21/07	1
Exhibit 72	Copies of Laboratory Animal Record for 3A0	10/07/08, 10/09/08 and 10/10/08	3
Exhibit 73	Copies of Emails with concerns for animal 3A0	10/09/08 and 10/10/08	2
Exhibit 74	A copy of Animal record for animal 3A0	10/20/08	1
Exhibit 75	Primate Mater Record for animal 99R1027	01/01/07	1

Exhibit 76 FOIA 10-549	Primate Mater Record for animal 674	11/04	1 102 of 241
Exhibit 77	Primate Mater Record for animal 622	5/18/09	1
Exhibit 78	Primate Mater Record for animal 702	05/15/09	1
Exhibit 79	Primate Mater Record for animal 668	5/15/09	1
Exhibit 80	Primate Mater Record for animal 695	5/20/09	1
Exhibit 81	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 82	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 83	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	3
Exhibit 84	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 85	A copy of SOP HUSB 1 Food, Water and Bedding Management	04/09	11
Exhibit 86	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 87	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	3
Exhibit 88	A copy of SOP Prog 8 Promotion of Psychological Well Being of Non-human Primates	N/A	14
Exhibit 89	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	26
Exhibit 90	Copy of video taken by Ruth Bakker, VMO	04/14/09	1
Exhibit 91	Copies of photographs taken by Ruth Bakker, VMO	04/14/09	2
Exhibit 92	A copy of USDA Inspection Report	06/30/09	5
Exhibit 93	A copy of Animal Care and Use Proposal 2007-1619	01/05	12
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Exhibit 95 FOIA 10-549	Questionnaire answered by [REDACTED] Culley, Veterinarian	12/11/09	3 103 of 241
Exhibit 96	Questionnaire answered by [REDACTED]	12/11/09	3
Exhibit 97	A copy of Animal Care and Use Proposal 2009-1796	04/13/09	38
Exhibit 98	Copies of MRI Scan Procedures	06/22/09	9
Exhibit 99	A copy of Treatment Record for animal AV82	05/20/09	1
Exhibit 100	A copy of Treatment Record for animal 5A9	06/19/09	1
Exhibit 101	A copy of Treatment Record for animal 5A3	06/19/09	1
Exhibit 102	A copy of Treatment Record for animal 702	6/19/09	1
Exhibit 103	A copy of Treatment Record for animal 3A1	06/19/09	1
Exhibit 104	A copy of Treatment Record for animal 99R1837	05/29/09	1
Exhibit 105	Laboratory Animal Record for 11F	05/06/09	2
Exhibit 106	Affidavit obtained from Dr. Tanya Tims	07/25/09	1
Exhibit 107	Affidavit obtained from Dr. Jami Niemann	08/05/09	1
Exhibit 108	Affidavit obtained from Dr. Ruth Bakker	11/30/09	2
Exhibit 109	Questionnaire answered by [REDACTED] DVM	12/11/09	27
Exhibit 110	Questionnaire answered by [REDACTED]	12/11/09	108
Exhibit 111	Questionnaire answered by [REDACTED]	12/11/09	37
Exhibit 112	E mails from Thomas Field (UKMC Interim Associate Vice Chancellor for Compliance)	10/22/09 7 10/25/09	4
Exhibit 113	Email from Thomas Field (UKMC Interim Associate Vice Chancellor for Compliance)	12/11/09	1
Exhibit 114	Attachments received from KU Med Center	12/14/09	221
Exhibit 115	Interview Log by [REDACTED] IES	12/18/09	1
Exhibit 116	A copy of Annual Report of Research	11/30/09	10



**COPY**

United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

University Of Ks Med Ctr  
3901 Rainbow Blvd  
1040 Wescoe Pavilion - Ms 2014  
Kansas City, KS 66160

April 27, 2007  
Customer No: 1460  
Certificate No: 48-R-0003  
Anniversary Date: 05/04/2010  
RE: ACKNOWLEDGEMENT OF UPDATE

Dear Registrant:

Thank you for submitting your USDA Registration renewal form. Enclosed for your files is a copy of your APHIS Form 7011 (Application for Registration) and Registration Certificate showing that your registration under the Animal Welfare Act has been renewed for another 3 years.

This Application for Registration is to be filed every 3 years on or before your renewal date. You will receive a renewal notice approximately 60 days before your renewal date. You may discontinue your registration under the Animal Welfare Act any time you desire by submitting a written request for cancellation of you registration to this office.

You are reminded that your records must be kept current. They are subject to review by the Animal Care personnel when they visit your premises. Record-keeping forms may be ordered from this office at no charge.

The law requires you to notify this office, in writing, of any changes in the name, address, location, management, control or ownership of your business within 10 days after such a change has been made.

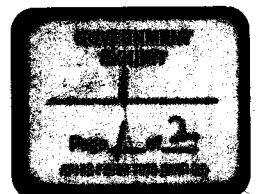
We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

cc: Tanya Tims, V.M.O.

Enclosures





United States  
Department of  
Agriculture

Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

Animal Care

**COPY**

EXPIRATION DATE: MAY 4, 2010

This is to certify that  
UNIVERSITY OF KS MED CTR

is a registered  
under the  
CLASS R RESEARCH FACILITY

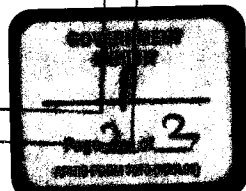
### Animal Welfare Act

(7 U.S.C. 2131 et seq.)

Certificate No. 48-R-0003

Customer No. 1460

Deputy Administrator



This report is required by law (7 USC 2143). Failure to report according to the regulations can result in an order to cease and desist and to be subject to penalties as provided for in Section 2150.

See reverse side for additional information.

Interagency Report Control No 0180-DOA-AN

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

1. REGISTRATION NO. 48-R-0003  
CUSTOMER NO. 1460

FORM APPROVED  
OMB NO. 0579-0038

**ANNUAL REPORT OF RESEARCH FACILITY**  
(TYPE OR PRINT)

2. HEADQUARTERS RESEARCH FACILITY (Name and Address, as registered with USDA, include Zip Code)

UNIVERSITY OF KS MED CTR  
3901 RAINBOW BLVD  
1040 WESCOE PAVILION - MS 2014  
KANSAS CITY, KS 66160  
(913) 588-7015

3. REPORTING FACILITY (List all locations where animals were housed or used in actual research, testing, teaching, or experimentation, or held for these purposes. Attach additional sheets if necessary.)

See Attached Listing FACILITY LOCATIONS/sites

**REPORT OF ANIMALS USED BY OR UNDER CONTROL OF RESEARCH FACILITY** (Attach additional sheets if necessary or use APHIS FORM 7023A)

A. Animals Covered By The Animal Welfare Regulations	B. Number of animals being bred, conditioned, or held for use in teaching, testing, experiments, research, or surgery but not yet used for such purposes.	C. Number of animals upon which teaching, research, experiments, or tests were conducted involving no pain, distress, or use of pain-relieving drugs.	D. Number of animals upon which experiments, teaching, research, surgery, or tests were conducted involving accompanying pain or distress to the animals and for which appropriate anesthetic, analgesic, or tranquilizing drugs were used.	E. Number of animals upon which teaching, experiments, research, surgery or tests were conducted involving accompanying pain or distress to the animals and for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results, or interpretation of the teaching, research, experiments, surgery, or tests. (An explanation of the procedures producing pain or distress in these animals and the reasons such drugs were not used must be attached to this report)	F. TOTAL NO. OF ANIMALS (Cols. C + D + E)
4. Dogs	3	0	14	0	14
5. Cats	0	0	0	0	0
6. Guinea Pigs	5	0	29	0	29
7. Hamsters	20	0	50	0	50
8. Rabbits	0	56	89	0	145
9. Non-Human Primates	23	0	135	0	135
10. Sheep	0	0	0	0	0
11. Pigs	0	0	58	0	58
12. Other Farm Animals					
13. Other Animals					
Goats	0	0	5	0	5
Gerbils	0	0	58	0	58

**ASSURANCE STATEMENTS**

- 1) Professionally acceptable standards governing the care, treatment, and use of animals, including appropriate use of anesthetic, analgesic, and tranquilizing drugs, prior to, during, and following actual research, teaching, testing, surgery, or experimentation were followed by this research facility.
- 2) Each principal investigator has considered alternatives to painful procedures.
- 3) This facility is adhering to the standards and regulations under the Act, and it has required that exceptions to the standards and regulations be specified and explained by the principal investigator and approved by the Institutional Animal Care and Use Committee (IACUC). A summary of all the exceptions is attached to this annual report. In addition to identifying the IACUC-approved exceptions, this summary includes a brief explanation of the exceptions, as well as the species and number of animals affected.
- 4) The attending veterinarian for this research facility has appropriate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use.

**CERTIFICATION BY HEADQUARTERS RESEARCH FACILITY OFFICIAL**  
(Chief Executive Officer or Legally Responsible Institutional official)

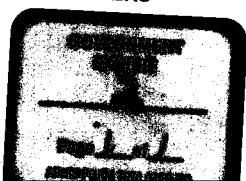
I certify that the above is true, correct, and complete (7 U.S.C. Section 2143)

SIGNATURE OF C.E.O. OR INSTITUTIONAL OFFICIAL

NAME & TITLE OF C.E.O. OR INSTITUTIONAL OFFICIAL (Type or Print)

DATE SIGNED

4/17/09



## About the University of Kansas Medical Center



The University of Kansas Medical Center is a campus of the University of Kansas and offers educational programs through its Schools of Allied Health, Medicine, Nursing, and Graduate Studies. The campus is comprised of academic units operating alongside The University of Kansas Hospital, which provides opportunities for clinical experience and residency positions.

### Mission Statement

The University of Kansas Medical Center, an integral and unique component of the University of Kansas and the Kansas Board of Regents system, is composed of the School of Medicine, located in Kansas City and Wichita, the School of Nursing, the School of Allied Health, the University of Kansas Hospital in Kansas City, and a Graduate School. The KU Medical Center is a complex institution whose basic functions include research, education, patient care, and community service involving multiple constituencies at state and national levels. The following paragraphs chart the KU Medical Center's course and serve as a framework for assessing programs, setting goals, developing initiatives and evaluating progress.

The University of Kansas Medical Center is a major research institution primarily serving the State of Kansas as well as the nation, and the world, and assumes leadership in the discovery of new knowledge and the development of programs in research, education, and patient care. The KU Medical Center recognizes the importance of meeting the wide range of health care needs in Kansas – from the critical need for primary care in rural and other underserved areas of the state, to the urgent need for highly specialized knowledge to provide the latest preventive and treatment techniques available. As the major resources in the Kansas Board of Regents system for preparing health care professionals, the programs of the KU Medical Center must be comprehensive and maintain the high scholarship and academic excellence on which the reputation of the University is based. Our mission is to create an environment for:

**Instruction.** The KU Medical Center educates health care professionals to primarily serve the needs of Kansas as well as the region and the nation. High quality educational experiences are offered to a diverse student population through a full range of undergraduate, graduate, professional, postdoctoral and continuing education programs.

**Research.** The KU Medical Center maintains nationally and internationally recognized research programs to advance the health sciences. Health related research flourishes in a setting that includes strong basic and applied investigations of life processes, inquiries into the normal functions of the human body and mechanisms of disease processes, and model health care programs for the prevention of disease and the maintenance of health and quality of life.

**Service.** The KU Medical Center provides high quality patient-centered health care and health related services. The University of Kansas Medical Center will be the standard bearer in the development and implementation of model programs that provide the greatest possible diversity of proven health care services for the



Meet Barbara Atkinson, MD  
Executive Vice Chancellor

### Related Info

- Advancement Board
- Chancellor of the University of Kansas
- Executive Vice Chancellor, Medical Center
- Kansas Board of Regents
- KUMC Tours
- KU Medical Center at a Glance (a statistical report)
- Local area information links
- Maps, directions and frequently called phone numbers
- Organizational Charts

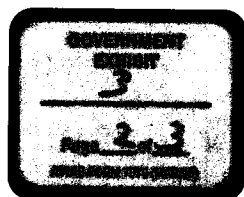


citizens of Kansas, the region and the nation. (5-28-89; 12-17-92).

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top of page

University of Kansas Medical Center  
1000 Kansas Avenue  
Kansas City, MO 64108  
Tel: 816.242.2000

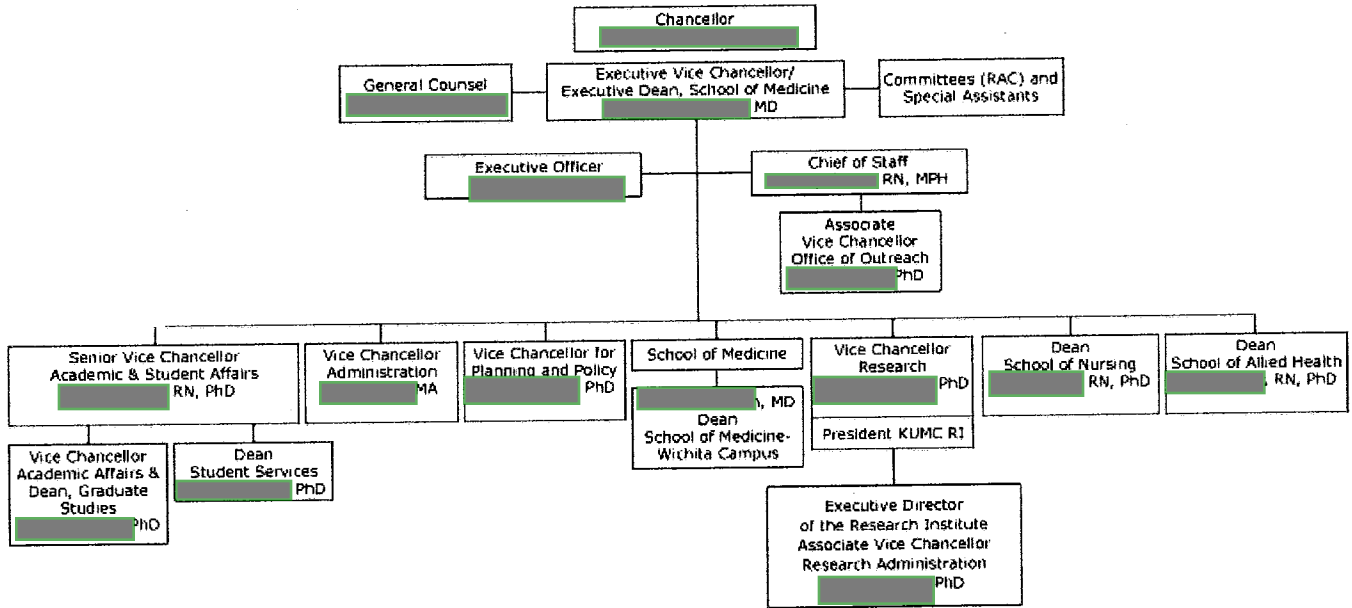




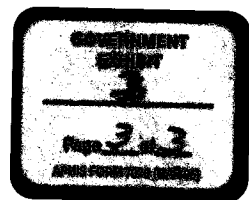
Home :

University of Kansas Medical Center

THE UNIVERSITY OF KANSAS MEDICAL CENTER



Last updated: Wednesday, January 6, 2010



**Contact Information**

Kansas Secretary of State  
**Ron Thornburgh**  
Memorial Hall, 1st Floor  
120 S.W. 10th Avenue  
Topeka, KS 66612-1594  
(785) 296-4564  
kssos@kssos.org  
www.kssos.org

**KANSAS SECRETARY OF STATE  
Not-for-Profit Corporation Annual Report**

**NP**  
**50**


All information must be completed and the required fee submitted or this document will not be accepted for filing. Please read all instructions before completing this document.

1. Business Entity ID Number: 0031468  
(This is not the FEIN)

2. Corporation name: University of Kansas  
Center for Research, Inc.  
(Name must match the name on record with the Secretary of State)

3. Mailing address (this address will be used to send official mail from the Secretary of State's Office):

2385 Irving Hill Road  
Address  
Lawrence KS 66045  
City State Zip

12-15-2008	10:05:00
1923 01	\$
050 002 AA	1
FILE#: 0031468	FILED BY KS SOS
 <b>02293381</b>	

4. Principal office address (must be a street, rural route or highway; a P.O. box is unacceptable):

Same  
Address City State Zip

5. Tax closing date: 06 30 2008 6. State of incorporation: Kansas  
Month Day Year

7. List the names, titles and addresses of all officers of the corporation (do not leave blank):

Name	Title	Address	City	State	Zip
(b)(6), (b)(7)(c)					

8. List names and addresses of all members of the governing body of the corporation (do not leave blank):

Name Address City State Zip  
See Attached

If additional officers or members exist, please provide an attachment.



Please answer question 9 if the corporation issues stock. Answer question 10 if the corporation instead has members. (Must answer all lines with a numeric value; "NA" or "-" is unacceptable.)

9. Total number of shares of capital stock issued: \_\_\_\_\_

10. Total number of members: 36

11. Federal Employer ID Number (FEIN): 48-0680117

12. Does this corporation hold more than 50% equity ownership in any other business entity that is filed with the Kansas Secretary of State?

YES \_\_\_ Complete the lines below. NO X Skip to question 13.

Please provide the name of the business(es) exactly as filed with the Kansas Secretary of State and include the Business Entity ID Number(s) assigned by the Secretary of State (this is not the Federal Employer ID Number (FEIN)).

Business Entity Name:

Business Entity ID Number:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If additional entities exist, please provide an attachment.

13. Does the corporation own or lease land in Kansas that is suitable for use in agriculture? This question does not apply to: 1) Tracts of land of fewer than 10 acres; 2) Contiguous tracts of land that are fewer than 10 acres in aggregate; 3) State-assessed railroad operating property.

YES \_\_\_ Complete attachment AG NO X

14. I declare under penalty of perjury pursuant to the laws of the state of Kansas that the foregoing is true and correct and that I have remitted the required fee. (Do not leave blank.)

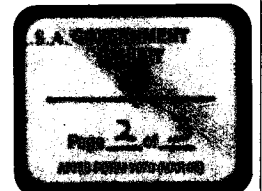
[Redacted Signature]  
Signature of authorized officer

12-12-08  
Date (month, day, year)

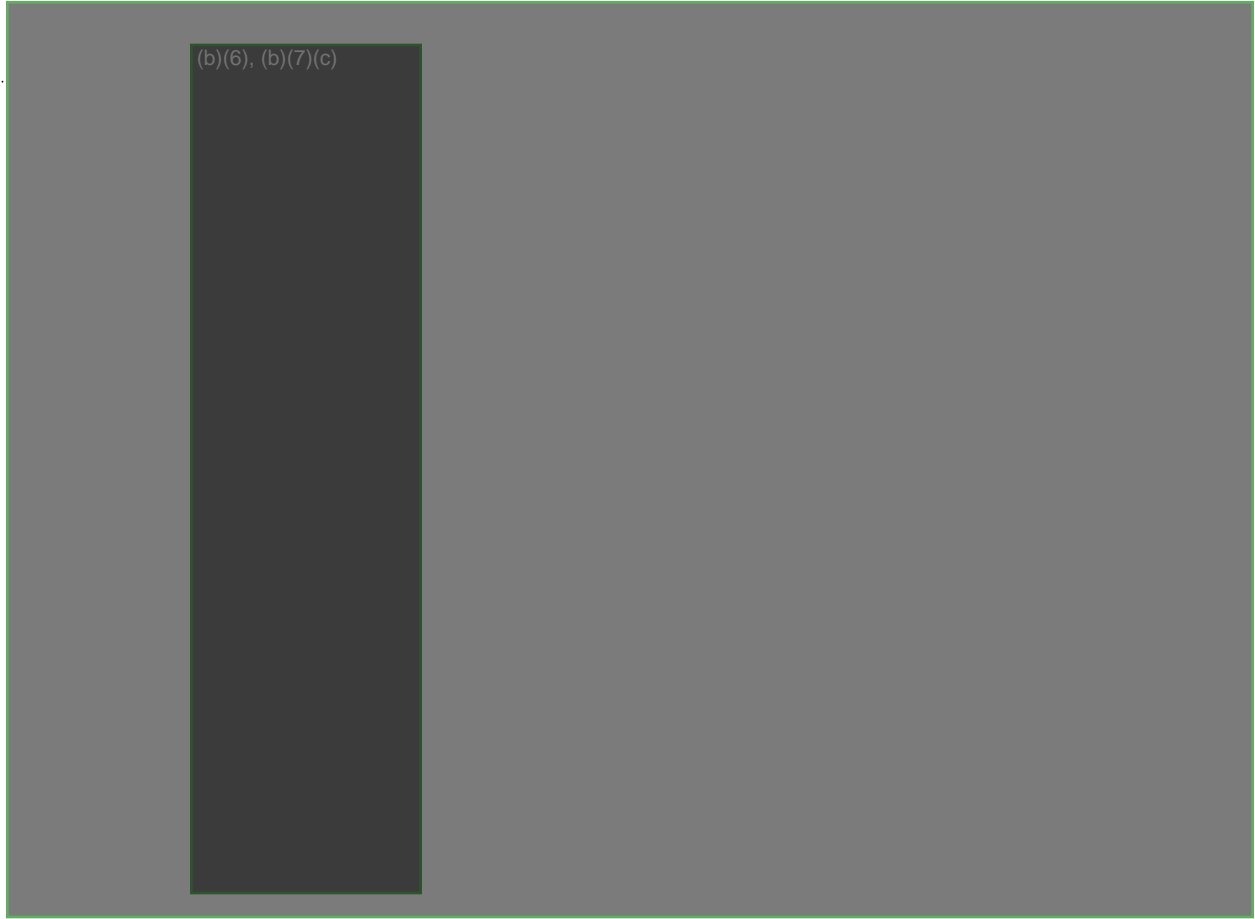
[Redacted Name]  
Name of signer (printed or typed)

[Redacted Title]  
Title/position

785 864-[Redacted]  
Phone number



**Board of Trustees**  
**University of Kansas Center for Research Inc.**  
**As of January 1, 2009**



(b)(6), (b)(7)(c)

TRUSTEES 2009 - 2012 @ 12-11-08.xls

December, 2008





United States  
Department of  
Agriculture

April 14, 2009

Animal and Plant  
Health Inspection  
Service

Tim Fordahl  
Western Regional Director  
Investigative & Enforcement Services

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

**Request for Investigation of Alleged Violations  
Regarding the Animal Welfare Act, Regulations,  
and/or Standards**

Please initiate an investigation on the following individual:

NAME: University of Kansas Medical Center  
ADDRESS: 3901 Rainbow Blvd  
1040 Wescoe Pavilion- MS 2014  
CITY: Kansas City, KS 66160  
LIC / REG. #: 48-R-0003 / customer #1460

**ADDITIONAL INFORMATION:**

Repeated failure to provide adequate veterinary care, and to properly clean and maintain facilities. The facility has numerous IACUC oversight violations, and numerous violations that affect the psychological well-being of non-Human Primates at the facility. In addition, the facility does not have an adequate number and/or properly trained personnel to carry out the level of care and husbandry practices required by the Animal Welfare regulations. Due to the number and seriousness of these violations, and the potential negative impact on animal welfare, an investigation is requested. Animal Care is expecting to receive an appeal to the March 10, 2009 inspection report.

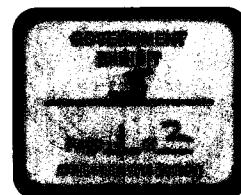
If further information is needed, please let me know.

Robert M. Gibbens  
Director, Western Region  
USDA, APHIS, Animal Care



Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Programs

An Equal Opportunity Provider and Employer





USDA, APHIS, IES  
WESTERN REGION  
2150 CENTRE AVENUE  
BLDG B-3W10  
FORT COLLINS, CO 80526  
(970) 494-7485

## Memorandum

**TO:** Wendy Gonzales  
Area Manager

**FROM:** Timothy Fordahl  
Western Regional Director

**DATE:** April 14, 2009

**SUBJECT:** Request for Investigation

Please find enclosed a request for investigation from Robert Gibbens, Director of Animal Care in Fort Collins, CO, regarding alleged violations involving:

University of Kansas Medical Center  
3901 Rainbow Blvd  
1040 Wescoe Pavilion-MS2014  
Kansas City, KS 66160  
Lic/Cust#: 43-R-0003/customer#1460

**Re: Repeated failure to provide adequate veterinary care, and to properly clean and maintain facilities.**

Please assign this investigation accordingly. Investigators are directed to:

- Open an investigation in the IES Tracking System within (five) 5 days of receipt of this request
- E-mail the case number to your PSA, Area Manager, (b)(6), (b)(7)(c) (b)(6), (b)(7)(c) within 10 working days
- Complete this investigation within the required 100 day time frame outlined in the IES Training Manual

If a complication arises, or, if you have any questions or concerns regarding this request, notify your Area Manager immediately.

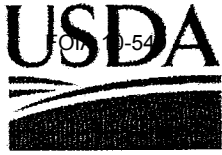
### TO BE COMPLETED BY FIELD INVESTIGATOR:

Case Number Assigned: KS09015-

Date entered into IES Tracking System: 4/23/09

  
Timothy Fordahl  
Regional Director  
Western Regional Office  
Investigative and Enforcement Services





**INSPECTION REPORT**

**UNIVERSITY OF KANSAS  
MEDICAL CENTER**

Customer ID: 1460  
Certificate: 48-R-0003

Site: 001

UNIVERSITY OF KS MED CTR

3901 RAINBOW BLVD  
1040 WESCOE PAVILION - MS 2014  
KANSAS CITY, KS 66160

Inspection  
Type: ROUTINE INSPECTION  
Date: AUG-27-2008

**2.31 ( c ) ( 3 )**

**INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE (IACUC).**

(c) IACUC Functions. With respect to activities involving animals, the IACUC, as an agent of the research facility, shall:  
(3) Prepare reports of its evaluations conducted as required by paragraphs (c)(1) and (2) of this section, and submit the reports to the Institutional Official of the research facility; Provided, however, That the IACUC may determine the best means of conducting evaluations of the research facility's programs and facilities; and Provided, further, That no Committee member wishing to participate in any evaluation conducted under this subpart may be excluded. The IACUC may use subcommittees composed of at least two Committee members and may invite ad hoc consultants to assist in conducting the evaluations, however, the IACUC remains responsible for the evaluations and reports as required by the Act and regulations. The reports shall be reviewed and signed by a majority of the IACUC members and must include any minority views. The reports shall be updated at least once every six months upon completion of the required semiannual evaluations and shall be maintained by the research facility and made available to APHIS and to officials of funding Federal agencies for inspection and copying upon request. The reports must contain a description of the nature and extent of the research facility's adherence to this subchapter, must identify specifically any departures from the provisions of title 9, chapter I, subchapter A--Animal Welfare, and must state the reasons for each departure. The reports must distinguish significant deficiencies from minor deficiencies. A significant deficiency is one which, with reference to Subchapter A, and; in the judgment of the IACUC and the Institutional Official, is or may be a threat to the health or safety of the animals. If program or facility deficiencies are noted, the reports must contain a reasonable and specific plan and schedule with dates for correcting each deficiency. Any failure to adhere to the plan and schedule that results in a significant deficiency remaining uncorrected shall be reported in writing within 15 business days by the IACUC, through the Institutional Official, to APHIS and any Federal agency funding that activity;

\*\*\*\*\*

The reports pertaining to the Fall 2007 and Spring 2008 program and facility reviews conducted by the IACUC were examined by the inspectors. Although minor deficiencies were identified by the committee, a specific plan and schedule for correction with dates was not included in the reports. The reports must contain a reasonable and specific plan and schedule with dates for correcting each deficiency, in order to ensure that all deficiencies are addressed in a timely manner to protect the health and welfare of the animals. The registrant must ensure that all future facility and program review reports contain a specific plan and schedule with dates for correcting each deficiency identified.

\*\*\*

TO BE CORRECTED on all future program and facility review reports.

**2.33 ( b ) ( 2 )**

**ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE.**

Prepared By: *Katheryn Ziegerer, DVM, VMO*  
KATHERYN ZIEGERER, V.M.O., USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 5052

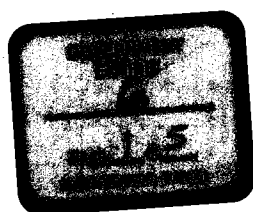
Received By: (b)(6), (b)(7)(c)

Title: [Redacted]

SEP - 2 2008

Date:  
AUG-28-2008

Date:  
AUG-28-2008





**INSPECTION REPORT**

(b) Each research facility shall establish and maintain programs of adequate veterinary care that include:

(2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care;

\*\*\*\*\*

During the inspection of two laboratory areas, expired medications were observed including: 0.9% sodium chloride for drug dilution (expired Nov 07), epinephrine (exp 6-08), Dexamethasone (exp 4-08), xylazine (exp 6-08), Aminax ointment (exp Apr 07), Children's Advil (exp 08/03), Tylenol Infant Drops (exp 05/07), Motrin Jr. Strength (exp 04/06), atropine ophthalmic (exp 12/81), injectable penicillin (exp Mar 05), Fura Septin soluble dressing (exp 1995), lidocaine injection (exp 1Aug05), and Children's Apar Elixir (exp 10/04). Expired medications may no longer work as expected and could harm the animals. The program of veterinary care must include the use of appropriate methods to treat diseases in order to protect the health of the animals. The registrant must develop a program of monitoring and maintenance to ensure that all medications utilized for regulated species are within date.

\*\*\*

TO BE CORRECTED BY: September 8, 2008

**3.29 ( a )**

**FEEDING.**

(a) Guinea pigs and hamsters shall be fed each day except as otherwise might be required to provide adequate veterinary care. The food shall be free from contamination, wholesome, palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the guinea pig or hamster.

\*\*\*\*\*

In Room 5007C, housing 9 Guinea pigs, the feed container being utilized was marked "Expiration date 7/22/08." Food that is used past its expiration date may no longer be wholesome, palatable, or meet the nutritional needs of the animals. All feed must be wholesome, palatable, and of sufficient nutritive value to maintain the health of the animals. The registrant must develop a program of monitoring and maintenance to ensure that all feed is free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements of the animals.

\*\*\*

TO BE CORRECTED BY: August 29, 2008

**3.56 ( c )**

**SANITATION.**

(c) Housekeeping. Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this subpart. Premises shall remain free of accumulations of trash.

\*\*\*\*\*

In Room 5018, housing 15 rabbits, the ceiling had several areas of cracked, peeling paint. Additionally, a large area of the ceiling immediately above the animals and around a canister was covered with a black, spotted substance with a mold-like appearance. The black substance was also present on the wall in that area. All buildings used to house animals must be kept clean and in good repair in order to facilitate the required cleaning and sanitization and to protect the health and welfare of the animals. The registrant must clean and/or repair the aforementioned areas and develop a program of monitoring and maintenance to ensure that all premises are kept clean and in good repair at all times.

Prepared By: *Katheryn Ziegerer, DVM, VMD*  
KATHERYN ZIEGERER, V.M.O., USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 5052  
(b)(6), (b)(7)(c)

Received By: [Redacted]  
Title: [Redacted]

SEP 2 2008  
Date: AUG-28-2008  
Date: AUG-28-2008







**INSPECTION REPORT**

\*\*\*

TO BE CORRECTED BY: October 15, 2008

3.75 ( a )

3.75 ( c ) ( 1 )

3.75 ( f )

**HOUSING FACILITIES, GENERAL.**

(a) Structure: construction. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound for the species of nonhuman primates housed in them. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

\*\*\*\*\*

Room 5009, housing 19 squirrel monkeys, had several areas on the ceiling with cracked and peeling paint. All buildings used to house animals must be kept clean and in good repair in order to facilitate the required cleaning and sanitization and to protect the health and welfare of the animals. The registrant must repair the aforementioned areas and develop a program of monitoring and maintenance to ensure that all premises are kept clean and in good repair at all times.

\*\*\*

TO BE CORRECTED BY: October 15, 2008

(c) Surfaces

(1) General requirements. The surfaces of housing facilities -- including perches, shelves, swings, boxes, houses, dens, and other furniture-type fixtures or objects within the facility -- must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Furniture-type fixtures or objects must be sturdily constructed and must be strong enough to provide for the safe activity and welfare of nonhuman primates. Floors may be made of dirt, absorbent bedding, sand, gravel, grass, or other similar material that can be readily cleaned, or can be removed or replaced whenever cleaning does not eliminate odors, diseases, pests, insects, or vermin.

\*\*\*\*\*

A wall in a room housing 15 squirrel monkeys had an irregularly shaped area of wall damage that was approximately 12 by 8 inches in size. The wall was damaged to the point that the underlying drywall material that is not impervious to moisture and can not be effectively cleaned and sanitized was exposed. All surfaces within housing facilities must be constructed in a manner that allows them to be readily cleaned and sanitized in order to protect the health of the animals. The registrant must repair the aforementioned area and develop a program of monitoring and maintenance to ensure that all surfaces of housing facilities are constructed in a manner that allows them to be readily cleaned and sanitized at all times.

\*\*\*

TO BE CORRECTED BY: September 15, 2008

(f) Drainage and waste disposal. Housing facility operators must provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, dead animals, debris, garbage, water, and any other fluids and wastes, in a manner that minimizes contamination and disease risk. Housing facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal wastes and water are rapidly eliminated and the animals stay dry. Disposal and drainage systems must minimize vermin and pest infestation, insects, odors, and disease hazards. All drains must be properly constructed, installed, and maintained. If closed drainage systems are used, they must be equipped with traps and prevent the backflow of gases and the backup of sewage onto the floor. If the facility uses sump ponds, settlement ponds, or other similar systems for drainage and animal waste disposal, the system must be located far

SEP - 2 2008

Prepared By:

*Katheryn Ziegerer, DVM, VMD*  
KATHERYN ZIEGERER, V.M.O., USDA, APHIS, Animal Care

Date:

AUG-28-2008

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 5052

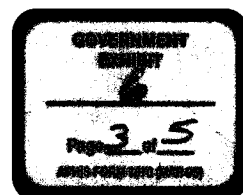
Received By:

(b)(6), (b)(7)(c)

Date:

AUG-28-2008

Title: ASSOCIATE DIRECTOR





**INSPECTION REPORT**

enough away from the animal area of the housing facility to prevent odors, diseases, insects, pests, and vermin infestation. If drip or constant flow watering devices are used to provide water to the animals, excess water must be rapidly drained out of the animal areas by gutters or pipes so that the animals stay dry. Standing puddles of water in animal areas must be mopped up or drained so that the animals remain dry. Trash containers in housing facilities and in food storage and food preparation areas must be leakproof and must have tightly fitted lids on them at all times. Dead animals, animal parts, and animal waste must not be kept in food storage or food preparation areas, food freezers, food refrigerators, and animal areas.

\*\*\*\*\*

Areas of standing water were present on the floors of three rooms containing a total of 28 non-human primates. No active cleaning was being conducted in these rooms at the time of the inspection. Facilities must provide for the regular and frequent removal of water and other fluid wastes in order to minimize contamination/disease risk and to protect the health of the animals. The registrant must ensure that waste water and other standing water in animal areas are regularly and frequently removed.

\*\*\*

TO BE CORRECTED BY: August 29, 2008

\*\*\*\*\*

In a non-human primate lab, a refrigerator was present that was storing necropsy/tissue samples and medications including wound dressings, ophthalmic medications, and injectable medications. The refrigerator had a brown, liquid substance present on some of its surfaces. Storage of necropsy and tissue samples in the same refrigerator as animal medications could result in contamination of the products and negatively impact the health and welfare of the animals. The registrant must ensure that dead animals, animal parts, and animal waste are not kept in food storage/food preparation areas, food freezers/refrigerators, or animal areas.

\*\*\*

TO BE CORRECTED BY: September 8, 2008

**3.82 ( a )**

**FEEDING.**

(a) The diet for nonhuman primates must be appropriate for the species, size, age, and condition of the animal, and for the conditions in which the nonhuman primate is maintained, according to generally accepted professional and husbandry practices and nutritional standards. The food must be clean, wholesome, and palatable to the animals. It must be of sufficient quantity and have sufficient nutritive value to maintain a healthful condition and weight range of the animal and to meet its normal daily nutritional requirements.

\*\*\*\*\*

During the course of the inspections, enrichment food items for non-human primates in the animal facilities or laboratory areas were observed that were past their expiration or "best by" dates. Items observed included pineapple chunks (exp 6-23-08), raisins (exp 01-08), "Ritz bits" (exp 11-13-07), peanuts (exp 4-10-08), dried cranberries (exp 5-14-08), Jet-puffed fun marshmallows (exp 5-23-08), raisins (best if used by Jan 28, 06), raisins (best if used by Jun 01, 05), prunes (best before 240807), Sunflower Nuts (Freshest if used by 062907), and raisins (best by Feb 13, 04). Food that is used past its expiration date may no longer be wholesome, palatable, or meet the nutritional needs of the animals. All feed must be wholesome, palatable, and of sufficient nutritive value to maintain the health of the animals. The registrant must develop a program of monitoring and maintenance to ensure that all feed is free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements of the animals.

\*\*\*

SEP - 2 2008

Prepared By:

*Katheryn Ziegerer, DVM, VMD*  
KATHERYN ZIEGERER, V.M.O. USDA, APHIS, Animal Care

Date:

AUG-28-2008

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 5052

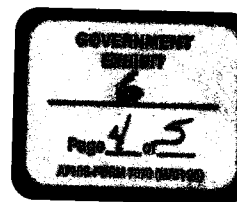
Received By:

(b)(6), (b)(7)(c)  
[Redacted Signature]

Date:

AUG-28-2008

Title:





**INSPECTION REPORT**

14601 dust\_id  
338118 insp\_id  
4135 site\_id

TO BE CORRECTED BY: August 29, 2008

This routine inspection was conducted with Katheryn Ziegerer, VMO, Jami Niemann, VMO, and facility representatives on August 27 and 28, 2008. An exit conference was conducted on August 28, 2008.

SEP - 2 2008

Prepared By: *Katheryn Ziegerer, DVM, VMO*  
KATHERYN ZIEGERER, V.M.O., USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER, Inspector ID: 5052  
(b)(6), (b)(7)(c)

Received By: [Redacted]

Title: ASSOCIATE DIRECTOR

Date:  
AUG-28-2008

Date:  
AUG-28-2008



## The University of Kansas Medical Center



Institutional Animal Care and Use Committee  
 [REDACTED], PhD, Chair

**MEMORANDUM**

To: [REDACTED], JD, MPH  
 Associate Vice Chancellor for Compliance

From: [REDACTED] Heuvel, Ph.D.  
 Chair, Institutional Animal Care and Use Committee

Subject: Semi-Annual Evaluation of Program and Facilities  
 Report to the Institutional Official

Date: December 18, 2007

This memorandum represents the semiannual report of the Institutional Animal Care and Use Committee (IACUC) as required by the PHS Policy on Humane Care and Use of Laboratory Animals and as a condition of this institution's Animal Welfare Assurance on file with the Office of Laboratory Animal Welfare (OLAW) and USDA Animal Welfare Regulations. These regulations require that the IACUC review the University's animal care and use program and facilities every 6 months and provide a summary of this review to the University's Institutional Official. The IACUC conducted its semiannual evaluation of the institution's animal care and use program during the months of October and November 2007. This review included visits of individual investigator laboratories and assessment of the animal facilities and programs.

**Evaluation of Individual Investigator Laboratories**

Committee members visited individual laboratories in the months of October and November to inspect their facilities, discuss animal care, adherence to protocols, and educate investigators and staff on compliance issues. Particular emphasis was placed on training; knowledge of the protocol, including review of approved procedures; changes requiring addenda; AVMA approved methods of euthanasia and proper management of scheduled drugs. No major or serious deficiencies or issues of noncompliance were identified. Some minor deficiencies were found including unused out of date drugs in one lab, scheduled drug not stored correctly and/or log not available in one lab, out of date surgical supplies were found in two labs, one surgery room did not have 70% diluted ETOH although it was present in the outer lab, one lab was using halothane outside of a fume hood and one lab needed more detail in surgical records. These issues were resolved the day of or shortly after the day of inspection or are in the process of being corrected. All corrections should be completed by the January IACUC meeting.

**Evaluation of the Animal Care and Use Program**

A five-member subcommittee reviewed the animal facilities and programs on November 6, 2007, and concluded the overall organization of the program to be in compliance with all



federal requirements. The committee inspected all animal facilities in Building #30 and Smith, as well as satellite facilities in the Hogle Brain Imaging Center and Wahl Hall East.

The committee found the general condition of all facilities satisfactory; however, the building regulator in Building #30 was preventing steam from entering the building but a contractor was scheduled to make repairs later the same day. Minimal problems were found other than the condition and operation of the dirty cagewash area in the LAR. These minor issues were out of date drug found in a procedure room in the LAR and Hogle Brain Imaging Center and the general cleanliness of the behavior core. The cagewash is in need of complete renovation, including the equipment, plumbing, walls, ceilings and floors. The minor issues have all been corrected. Repairs and renovations of the cagewash will be done in conjunction with federally funded replacement of the cagewash equipment this fall. There are animal housing areas with no provision for undisturbed observation of animals because a few rooms do not have windows in them. The LAR management continues to instruct the cagewash staff to use proper ear protection.

**Minority Views**

There were no minority views from the IACUC committee regarding the semiannual review or report.

IACUC Members

Signatures

[Redacted] PhD  
(Chairman)

[Redacted]

[Redacted] DVM

\_\_\_\_\_

[Redacted] PhD

[Redacted] DVM

[Redacted]

[Redacted] EH&S

[Redacted] PhD

[Redacted] PhD

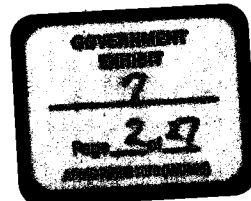
[Redacted] DVM, PhD

[Redacted] PhD

[Redacted] DVM, PhD

[Redacted] PhD

[Redacted] MA





[Redacted] PhD

[Redacted], PhD

[Redacted] PhD

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[Redacted], PhD

[Redacted] PhD

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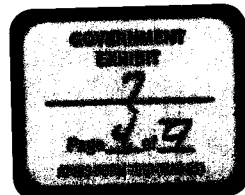
## Annual Review: Institutional Polices and Responsibilities

Revised 8/99

Instructions: This form is used in the semi-annual evaluation of institutional polices and responsibilities. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

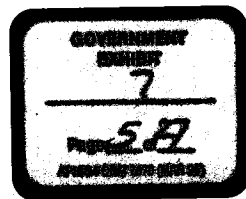
Date of Evaluation		
Evaluators	Printed Name	Signature
	[REDACTED]	
	[REDACTED]	
	[REDACTED]	

Criteria	A	M	S
<b>1.0 IACUC membership and functions</b>	✓		
1.1 Minimum of 5 members, appointed by the institutional official.	✓		
1.2 Members include veterinarian, scientist, non-scientist, non-affiliated person	✓		
1.3 Responsible for oversight and evaluation of the institution's program	✓		
1.4 Reports to the institutional official	✓		
1.5 Conducts semi-annual evaluations of animal care and use program	✓		
1.6 Conducts semi-annual evaluations of animal facilities	✓		
1.7 Reviews and investigates concerns about animal care and use at the institution	✓		
1.8 Procedures for review, approval and suspension of animal activities	✓		
1.9 Procedures for review and approval of significant changes to approved activities	✓		
1.10 Policies for special procedures (restraint, mult surgeries, food/fluid restriction)	✓		
<b>2.0 IACUC Records and Reporting Requirements</b>	✓		
2.1 Reports to the institutional official (IO)	✓		
2.1.1 Reports of semi-annual reviews and facilities inspections to IO	✓		
2.1.2 Includes minority views of IACUC members	✓		
2.1.3 Describes departures from Guide or PHS Policy and reasons for departure	✓		
2.1.4 Distinguish minor and significant deficiencies	✓		
2.1.5 Include a plan and schedule for correction of each deficiency	✓		
<b>2.2 Reports to Office for Protection from Research Risks (OPRR)</b>	✓		
2.2.1 Annual Report includes minority views of IACUC members	✓		
2.2.2 Annual report documents changes; gives dates of semi-annual inspections	✓		
2.2.3 Promptly advises OPRR of serious Guide deviations or Policy non-compliance	✓		
2.2.4 Promptly adivses OPRR of any suspension of activity by the IACUC	✓		





Criteria	A	M	S
<b>2.3 Reports to the United States Department of Agriculture</b>			
2.3.1 Annual report containing required information	✓		
2.3.2 Reporting mechanism in place for IACUC-approved exceptions to regulations	✓		
2.3.3 Reports within 15 days failure to adhere to timetable of deficiency correction	✓		
2.3.4 Reports IACUC-mandated suspension of activity to USDA and any federal funding agency	✓		
2.3.5 Minutes of IACUC meetings and semi-annual inspections maintained for 3 yrs	✓		
2.3.6 IACUC review documentation maintained for 3 yrs after completion of study	✓		
2.3.7 IACUC review of activities involving animals includes all required information	✓		
<b>3.0 Veterinary Care</b>			
3.1 Veterinarians with training or experience in lab animal medicine available	✓		
3.2 Veterinarians have access to all animals	✓		
3.3 Provision for back-up veterinary care	✓		
3.4 Availability of guidance in handling, immobilization, sedation, anesthesia, analgesia	✓		
3.5 Guidance and oversight of surgery programs and post-surgical care	✓		
3.6 Authority to oversee all aspects of animal care and use	✓		
<b>4.0 Personnel Qualifications and Training</b>			
4.1 Institution has established and implemented an effective training program	✓		
4.2 Training includes professional/management/supervisory personnel	✓		
4.3 Training includes animal care personnel	✓		
4.4 Training includes research investigators, instructors, technicians, trainees, students	✓		
4.5 Training Program Content			
4.5.1 Humane practices of animal care (housing, husbandry, handling)	✓		
4.5.2 Humane practices of animal use (surgery, anesthesia, analgesia, etc.)	✓		
4.5.3 Alternative methods that minimize number of animals needed	✓		
4.5.4 Research/testing methods that minimize pain or distress	✓		
4.5.5 Hazard communication program	✓		
<b>5.0 Occupational Health and Safety of Personnel</b>			
5.1 Institutional Program for a Safe and Healthy Workplace			
5.1.1 Program is established and implemented	✓		
5.1.2 Covers all personnel who work in laboratory animal facilities	✓		
5.1.3 Program is based on hazard identification and risk assessment	✓		
5.1.4 Training in specific hazards (zoonoses, pregnancy, un-defined illnesses, etc.)	✓		
5.1.5 Personal hygiene procedures and equipment	✓		
5.1.6 Procedures for storage, use and disposal of hazardous agents	✓		
5.1.7 Specific Procedures for personnel protection (shower, change facilities, injury prevention)	✓		
5.1.8 MSDS available through the institution	✓		







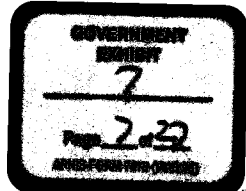
# Annual Review: Animal Housing and Support Areas

Revised 8/99

Instructions: This form is used in the semi-annual evaluation of animal housing and support areas. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

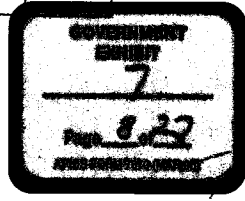
Date of Evaluation		
Evaluators	Printed Name	Signature
	[Redacted]	

Animal Housing and Support Areas (Identify site)	A	M	S
<b>Criteria</b>			
<b>1.0 Location</b>			
1.1 Animal areas separated from personnel areas	✓		
1.2 Adequate separation of species	✓		
1.3 Separation by disease status	✓		
<b>2.0 Construction</b>			
2.1 Sealed walls, ceiling, doors of adequate size with floor sweeps	✓		
2.2 Sealed corridor walls with bumper guards	✓		
2.3 HVAC producing 10 air changes per hour in all animal rooms	✓		
2.4 Adequate drainage	✓		
2.5 Adequate power and lighting	✓		
2.6 Noise attenuation of relevant species	✓		
2.7 Appropriate temperature and humidity ranges for animal rooms	✓		
<b>3.0 Sanitation and waste disposal</b>			
3.1 Adequate frequency of cage and rack changing	✓		
3.2 Each room equipped with appropriate cleaning tools	✓		
3.3 Timely removal of refuse from rooms and hallways.	✓		
3.4 Appropriate use of chemical disinfectants	✓		
3.5 Procedures for collection, storage and disposal of wastes	✓		
3.6 Hazardous waste disposal program is in place	✓		
3.7 Adequate procedures for disposal of carcasses	✓		
3.8 Adequate cleaning and sanitation of hallways and support areas	✓		
3.9 Appropriate monitoring of sanitation process	✓		



Animal Housing and Support Areas

Criteria	A	M	S
<b>4.0 Animal housing, behavioral management, psychological well-being</b>			
4.1 Animal caging is appropriate size according to USDA regs and Guide	Y		
4.2 Bedding is appropriate to species and intended research purposes of animals	Y		
4.3 Functional and accessible water supply providing clean potable water	Y		
4.4 Adequate, clean, accessible food supply appropriate to the species	Y		
4.5 Psychological well-being program for primates in place with adequate records	Y		
4.6 Pair housing of primates where possible and within experimental aims	Y		
4.7 Exercise and socialization program for dogs is in place with adequate records	Y		
4.8 Documented, IACUC-approved exceptions to normal SOP housing standards	Y		
4.9 Provision for undisturbed observation of animals	Y		
<b>5.0 Food and bedding storage and use; water system</b>			
5.1 Food and bedding stored on palates and removed from wall by 6 inches	Y		
5.2 Food rotation system in place	Y		
5.3 All primate and guinea pig food within 90 days of the milling date	Y		
5.4 All food other than primate or guinea pig food within 180 days of milling date	Y		
5.5 Perishable food is of adequate quality and appropriately stored	Y		
5.6 Storage of food in sealed containers with labeled expiration dates	Y		
5.7 Appropriate feeding schedules	Y		
5.8 Water supplied ad libitum unless restriction required by approved protocol	Y		
5.9 Water quality is adequate	Y		
<b>6.0 Pest control program</b>			
6.1 Pest control program in operation	Y		
6.2 Mechanism for notifying investigators of chemical use that may impact research	Y		
6.3 Mechanism for restricting dispersion of chemicals and agents	Y		
<b>7.0 Weekend, holiday and emergency care</b>			
7.1 Schedule set for weekend and holiday care	Y		
7.2 On call list is accessible for emergency problems	Y		
<b>8.0 Animal identification and records</b>			
8.1 Cage card program is in place and working	Y		
8.2 Individual medical records maintained for appropriate regulated species	Y		
<b>9.0 Genetics and nomenclature</b>			
9.1 Appropriate records maintained for genetically unique stocks	Y		
9.2 Appropriate nomenclature used in naming new genetic stocks	Y		
<b>10.0 Personnel areas</b>			
10.1 Locker rooms	Y		
10.2 Administration area	Y		
10.3 Breakrooms	Y		
<b>11.0 Specialized space considerations</b>			
11.1 Receiving area	Y		
11.2 Quarantine program	Y		
11.3 Isolation rooms	Y		
11.4 Necropsy room	Y		
11.5 Radiology	Y		





# Annual Review: Cagewash Facility

Revised 8/99

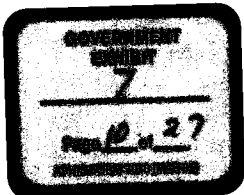
Instructions: This form is used in the semi-annual evaluation of the cagewash facility and procedures. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation		
Evalutors	Printed Name	Signature
	[Redacted]	
	[Redacted]	

Cagewash Facility (identify site >>>>>>>>>)		A	M	S
<b>Criteria</b>				
<b>1.0 Construction</b>				
1.1 Sealed walls and ceilings	✓			
1.2 Adequate drainage	✓			
1.3 Ease of access; doors sufficient size for equipment movement	✓			
1.4 Sufficient space for workload	✓			
1.5 Provision for safe bedding disposal and pre-wash activities	✓			
1.6 Insulation of walls and ceilings or provision for sound attenuation	✓			
1.7 Appropriate utilities (hot/cold water, steam, floor drains, electric power)	✓			
1.8 Ventilation adequate for steam and fume dissipation	✓			
1.9 Separation of clean and dirty side operations	✓			
<b>2.0 Operations</b>				
2.1 Safety procedures and equipment (gloves, eye protection, rubber boots, scrubs, aprons)	✓			
2.2 Warning signs adequate and appropriately posted	✓			
2.3 Eyewash station in place	✓			
2.4 Cagewash temperatures are monitored and recorded	✓			
2.5 Autoclave function is monitored	✓			

**NOTATIONS:** Please indicate the item number and detail any minor or significant deficiencies noted.

	building regulator preventing steam
	from from entering building
	paint peeling on ceiling



# Annual Review: General Procedure Areas

Revised 8/99

Instructions: This form is used in the semi-annual evaluation of procedure rooms. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation		
Evaluators	Printed Name	Signature

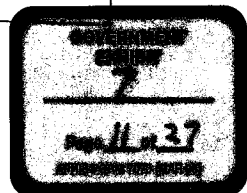
Procedure Areas

Location being evaluated:

Criteria	A	M	S
<b>1.0 Drug Storage</b>			
1.1 Drug are stored appropriately	✓		
1.2 Drugs in use are in date		✓	
1.3 Adequate records for controlled substances	✓		
<b>2.0 Occupational health and safety</b>			
2.1 Gas cylinders immobilized	✓		
2.2 Sharps containers are regulation and appropriately used.	✓		
2.3 Warning signs are posted as needed.	✓		
2.4 Chemical are stored appropriately	✓		
2.5 Scavenging of anesthetic gasses, if required	✓		
<b>3.0 General sanitation</b>			
3.1 Carcass disposal adquate	✓		
3.2 Room is free of refuse or debris	✓		
<b>4.0 Equipment maintenance</b>			
4.1 Equipment in the room is operational and well-maintained	✓		
<b>5.0 Room maintenance</b>			
5.1 Room walls and ceilings are free of defects.	✓		
5.2 Lighting and ventilation are adequate.	✓		
<b>6.0 Other Issues</b>			
6.1	✓		
6.2			

General comments

*Hayward - out of date drug  
General cleanliness of behavior core rooms*



# Annual Review: Veterinary Medical Care

Revised 8/99

Instructions: This form is used in the semi-annual evaluation of veterinary medical care. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation		
Evaluators	Printed Name	Signature

Veterinary Care Program	A	M	S
<b>Criteria</b>			
<b>1.0 Preventative medicine/procurement/transportation</b>			
1.1 Evaluation of animal vendors	✓		
1.2 Procedures for lawful procurement of animals	✓		
1.3 Lawful transportation of animals	✓		
1.4 Procedures for entry clinical evaluation, quarantine, stabilization	✓		
1.5 Separation of species; separation by health status; separation by source	✓		
1.6 Program for isolation of sick animals	✓		
1.7 Program for surveillance, diagnosis, treatment and control of disease	✓		
1.8 Availability of diagnostic resources for preventative health	✓		
1.9 Provision for emergency, weekend and holiday veterinary care	✓		
<b>2.0 Surgery</b>			
2.1 Availability of appropriate training of personnel in anesthesia and surgery	✓		
2.2 Presurgical plan includes space, supplies, pre- and post-op procedures	✓		
2.3 Procedures in place for monitoring anesthesia and analgesia	✓		
2.4 Definitions distinguish major and minor procedures	✓		
2.5 Use of effective aseptic technique for survival surgeries	✓		
2.6 Defined procedures for use of the surgical facility	✓		
2.7 Procedures for using and scavenging volatile anesthetics	✓		
2.8 Procedures for autoclaving surgical packs and monitoring expiration dates	✓		
2.9 Documentation of post-operative care	✓		
3.0 Pain, distress, analgesia, and anesthesia			
3.1 Guidelines for assessment and categorization of pain	✓		
3.2 IACUC guidelines for avoiding unnecessary pain or distress	✓		
3.3 Appropriate anesthetics, analgesics, tranquilizers used for each species	✓		
3.4 Paralytics not used without appropriate anesthetics to eliminate pain	✓		
3.5 Veterinary input on choice of drugs	✓		









# Annual Review: Aseptic Surgery

Revised 8/99

Instructions: This form is used in the semi-annual evaluation of the aseptic surgery program and facilities. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation		
Evaluators	Printed Name	Signature
	[Redacted]	

Aseptic Surgery Evaluation				
Criteria	A	M	S	
<b>1.0 General Considerations</b>				
1.1 Location minimizes traffic and contamination	✓			
1.2 Functional components such as surgical support, animal preparation, surgeon scrub, operating room, and post-operative recovery are designed and separated from one another, according to Guide recommendations.	✓			
1.3 Appropriate drug storage, control, expiration data monitoring.		✓		
1.4 Safe sharps disposal	✓			
1.5 Adequate records of anesthesia and peri-operative care	✓			
1.6 Aseptic procedures in use for all survival surgery	✓			
1.7 All drugs in the facility are within the expiration dates		✓		
1.8 All suture materials and supplies are within the expiration dates		✓		
1.9 Component areas are clean, organized and stocked	✓			
<b>2.0 Operating Room</b>				
2.1 Effective contamination control procedures	✓			
2.2 Effective cleaning procedures with dedicated tools	✓			
2.3 Interior surfaces smooth and impervious to moisture	✓			
2.4 HVAC system meets Guide requirements (filtered air at positive pressure)	✓			
2.5 Lighting is safe and appropriate	✓			
2.6 Outlets are safe and appropriate	✓			
2.7 Gas anesthetic scavenging is in place	✓			
2.8 Warning signs posted where needed	✓			
2.9 Fixed equipment is sanitizable	✓			
<b>3.0 Surgical Support Areas</b>				
3.1 Facility for washing, sterilizing, storing instruments and supplies	✓			
3.2 Autoclave monitoring procedures are implemented	✓			
3.3 Storage of autoclaved materials maintains sterility	✓			
3.4 Dating of autoclaved packs and supplies	✓			
3.5 Cold sterilization procedures are appropriate	✓			

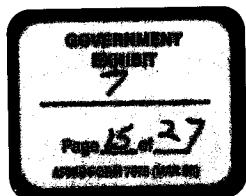


### Aspic Surgery Evaluation

Criteria	A	M	S
<b>4.0 Animal Preparation</b>	2		
4.1 Contains sink and supplies to clean animal and operative site			
4.2 Cabinets contain appropriate supplies and pre-anesthetic drugs	2		
<b>5.0 Surgeon Scrub</b>			
5.1 Located outside of the surgery room	2		
5.2 Foot or knee-operated sink	2		
<b>6.0 Post-Operative Recovery</b>			
6.1 Permits adequate observation of the animals	2		
6.2 Area is easily cleaned	2		
6.3 Area supports physiologic functions	2		
6.4 Area minimizes risk of injury during recovery	2		
<b>7.0 Dressing areas</b>			
7.1 Dressing rooms available.	2		

NOTATIONS: Please indicate the item number and detail any minor or significant deficiencies noted.

*out of date drugs - supplies found  
in procedure room*



# Semi-Annual Review: Investigator Laboratories

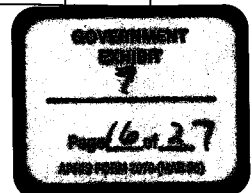
Revised 8/99

Instructions: This form is used in the semi-annual evaluation of investigator laboratories. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation		
Evaluators	Printed Name	Signature

PI Last Name	
Protocol Number	
Protocol Title	
Building and Room	
Phone Number	
Acknowledged by:	

1.0 Use of animals in the laboratory		Yes	No
Are animals used or held in the laboratory?			
Are animals held in the laboratory greater than 12 hours?			
Are surgical procedures done in the laboratory? If yes, please note what procedures below			
Are animals euthanized in the laboratory?			
What species are used in this laboratory?			
Criteria	A	M	S
<b>2.0 Methods of euthanasia</b>			
2.1 Indicate the method of euthanasia being used			
2.2 Method of euthanasia with AVMA Panel Guidelines			
2.3 Personnel trained in the euthanasia method			
<b>3.0 Anesthesia and surgery</b>			
3.1 Sterile instruments available			
3.2 Method of sterilization is adequate to kill organisms			
3.3 Sterile gloves available for surgical procedures			
3.4 Surgical scrubs and materials available for site preparation			
3.5 All drugs, sutures, supplies and materials are in date (USDA Policy #3)			
3.6 All scheduled drugs are maintained under lock-down with appropriate logs			
3.7 Anesthetics currently in use		Yes	No
3.7.1 Injectable anesthetics			
3.7.2 CO <sub>2</sub> /O <sub>2</sub> anesthesia			
3.7.3 Ether anesthesia			
3.7.4 Halothane/metofane/aerraine anesthesia			
3.7.5 Gas anesthetic scavenging is adequate			



<del>3.7.6</del> Adequate post surgical records are extant (SOP PROG 13, SOP VET 4)			
<b>4.0 Holding of laboratory animals &gt;12 hours</b>	A	M	S
4.1 Adequate caging is available			
4.2 Temperature range is acceptable (68-78° F)			
4.3 Food, water, and bedding are acceptable			
4.5 Light dark cycling is in place			

<b>5.0 Separation of animal use areas from other activities</b>	A	M	S
5.1 Animal use areas are separated from other lab functions and office space			
5.2 Sanitation of animal use areas is adequate			
5.3 Disinfectants and cleaning agents are present in the laboratory			

NOTATIONS: Please indicate the item number and detail any minor or significant deficiencies noted.


PLEASE NOTE WHAT SURGICAL PROCEDURES ARE BEING DONE IN THIS LABORATORY.

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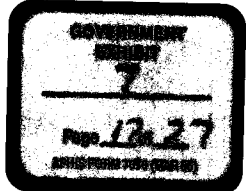
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University of Kansas Medical Center Institutional Animal Care and Use Committee Investigator Laboratory Inspection Report

Principal Investigator		Building	Room	Use of Animals in Lab			Euthanasia Methods				Anesthesia and Surgery											Time Animals Held in Lab				Separating Lab Space			Surgical Procedures	Notes							
First Name	Last Name			Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N				
Protocol #	Species	Euthanasia Method		Anesthesia		Surgery		Time		Time		Time		Time		Time		Time		Time		Time		Time		Time		Time		Time		Time		Time			
																																				Animals are housed in G0 2B RSF. All experiments done in these rooms under biosafety level containment. 2000 Hixon, G019 KLSIC biosafety level	
																																				Post-surgery records not maintained. Was advised to review SOPs & use the IAR database	
																																				Tracheostomy Carotid & Femoral catheters Tissue harvesting on addendum submitted for halothane	
																																				3.5 isoflurane date 8/07	
																																				Surgeries done O VX, SC nerves	
																																				Surgeries in commmroom lab. animal return to LAR approved by LAR	
																																				1.3 LR written	
																																				1.3 Cont- written	
																																					For surgeries suggested keeping record on clipboard or in notebook

(b)(6), (b)(7)(c)

(b)(2) High & (b)(7)(F)







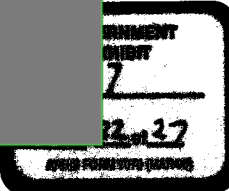


University of Kansas Medical Center Institutional Animal Care and Use Committee Investigator Laboratory Inspection Report

Principal Investigator		First Name	Last Name	Building	Room	Use of Animals in Lab		Anesthesia and Surgery										Surgical Procedures	Notes					
Protocol #	Species					Euthanasia Method	31	32	33	34	35	36	37	38	39	40	41			42	43	44	45	46
2004-1479	mice	CO2/nembutal/de cap.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	3.6 Out of 5 sutures in surgery room (WHE, 1037) new sutures 2050 KLSI them to take sutures
																								5.3 Surger room did n have 70% ETOH diluted although ETOH was present in lab
2007-1670	mice	CO2/nembutal/de cap.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	All drug in date 3.5 Out of sutures four although lat occupants the old sutures were not in and they showed me new box of sutures. I.c them to rem (loss out) th old sutures.
																								5.3-Surgery room (1037 WHe) did not have 70% ETOH diluted up for use in room, ethanol present in the outer part of lab
2006-1587	mice	nembutal/decap.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	All drugs were in date
																								None-although IACUC needs contact in
2006-1586	rats	nembutal/decap.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Of 24 not-need contact info

(b)(2)High & (b)(7)(F)

(b)(6), (b)(7)(c)



University of Kansas Medical Center Institutional Animal Care and Use Committee Investigator Laboratory Inspection Report

Principal Investigator First Name Last Name	Building	Room	Use of Animals in Lab				Euthanasia Methods				Anesthesia and Surgery										Surgical Procedures	Notes												
			Protocol #	Y	N	Species	Euthanasia Method	M	N	M	N	M	N	M	N	M	N	M	N	M			N	Time Animals Held in Lab	Separating Lab Space									
(b)(6), (b)(7)(c)			2007-1666	Y	Y	Chicks	beuthanasia/deca P	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	cochlear ablation, tympanectomy	FOIA 10-549			
			2004-1447																															
(b)(2)High & (b)(7)(F)			2005-1508	Y	N	Y	Gerbils	beuthanasia/deca P	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	cochlear ablation, hearing loss surgery			
			2007-1629																															
(b)(2)High & (b)(7)(F)			2006-1550																													none-tissue harvest only		
			2005-1491																															
(b)(2)High & (b)(7)(F)			2005-1534	Y	N	Y	rats	iso/cerv. Distoc.	A	A																						none-tissue harvest only		
			2005-1482	Y	N	Y	Gerbils	pentobarb/decap	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	tissue harvest only		
(b)(2)High & (b)(7)(F)			2006-1596	N	N	Y	mice	CO2/CD	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	auditory nerve lesion-survival	07	
			2004-1417	Y	N	Y	mice	decap.																									electrode implant-nonsurvival	
(b)(2)High & (b)(7)(F)			2006-1578	Y	N	Y	mice	decap.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	1.3-OVX in LAR surg. Rooms		
			2006-1589	Y	N	Y	mice	decap.																										
(b)(2)High & (b)(7)(F)			2007-1617	Y	N	Y	mice	decap.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			
			2005-1525	Y	N	Y	mice	decap/CD	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
(b)(2)High & (b)(7)(F)			2005-1492	Y	N	Y	mice	decap/CD	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
			2005-1515	Y	N	Y	mice	decap	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
(b)(2)High & (b)(7)(F)			2005-1514	Y	N	Y	mice	CD/decap	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		















Institutional Animal Care and Use Committee  
 [REDACTED], PhD, Chair

## MEMORANDUM

To: [REDACTED] JD, MPH  
 Associate Vice Chancellor for Compliance

From: [REDACTED] Ph.D.  
 Chair, Institutional Animal Care and Use Committee

Subject: Semi-Annual Evaluation of Program and Facilities  
 Report to the Institutional Official

Date: June 17, 2008

This memorandum represents the semiannual report of the Institutional Animal Care and Use Committee (IACUC) as required by the PHS Policy on Humane Care and Use of Laboratory Animals and as a condition of this institution's Animal Welfare Assurance on file with the Office of Laboratory Animal Welfare (OLAW) and USDA Animal Welfare Regulations. These regulations require that the IACUC review the University's animal care and use program and facilities every 6 months and provide a summary of this review to the University's Institutional Official. The IACUC conducted its semiannual evaluation of the institution's animal care and use program during the months of May and June. This review included visits of individual investigator laboratories and assessment of the animal facilities and programs.

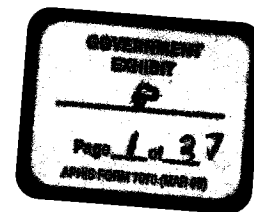
### Evaluation of Individual Investigator Laboratories

Committee members visited individual laboratories in the months of May and June to inspect their facilities, discuss animal care, adherence to protocols, and educate investigators and staff on compliance issues. Particular emphasis was placed on training; knowledge of the protocol, including review of approved procedures; changes requiring addenda; AVMA approved methods of euthanasia and proper management of scheduled drugs. No serious deficiencies or issues of noncompliance were identified. Some minor deficiencies were noted including expired drug found in four labs, out of date surgical supplies found in one lab, and sterile gloves were not available for survival surgical procedures in two labs. These issues were resolved the day of or shortly after the day of inspection or are in the process of being corrected. All corrections should be completed by the July IACUC meeting.

### Evaluation of the Animal Care and Use Program

A four-member subcommittee reviewed the animal facilities and programs on May 15, 2008, and concluded the overall organization of the program to be in compliance with all federal requirements. The committee inspected all animal facilities in the Building 30, Kansas Life

Office of Compliance  
 Animal Research Protection Program  
 MSN 2014, 3901 Rainbow Blvd., 1054 Wescoe, Kansas City, KS 66160  
 Phone: (913) 588-2416 Fax: (913) 588-1224



Sciences Innovation Center (KLSIC), and Smith, as well as satellite facilities in the Hoglund Brain Imaging Center and Wahl Hall East.

The committee found the general condition of all facilities satisfactory and was impressed with the overall appearance and cleanliness of all three buildings. No significant deficiencies were identified during the review. The following minor deficiencies were noted. Feed was stored less than six inches from the wall in Building 30, KLSIC and Smith, Biohazard sheets in two animal housing rooms needed updated emergency contact information, chipped paint was found in rat housing room in the LAR, and expired sodium chloride was found in a procedure room. The minor issues listed above have all been corrected with the exception of the chipped paint. Due to space restrictions, increased rodent populations, and construction there is no room to rotate animals to another room until the painting is complete. This room will be repainted once the construction of the new cagewash is complete this fall.

Repairs and renovations of the cagewash will be done in conjunction with federally funded replacement of the cagewash equipment this fall and there are animal housing areas with no provision for undisturbed observation of animals because a few rooms do not have windows in them.

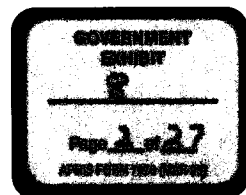
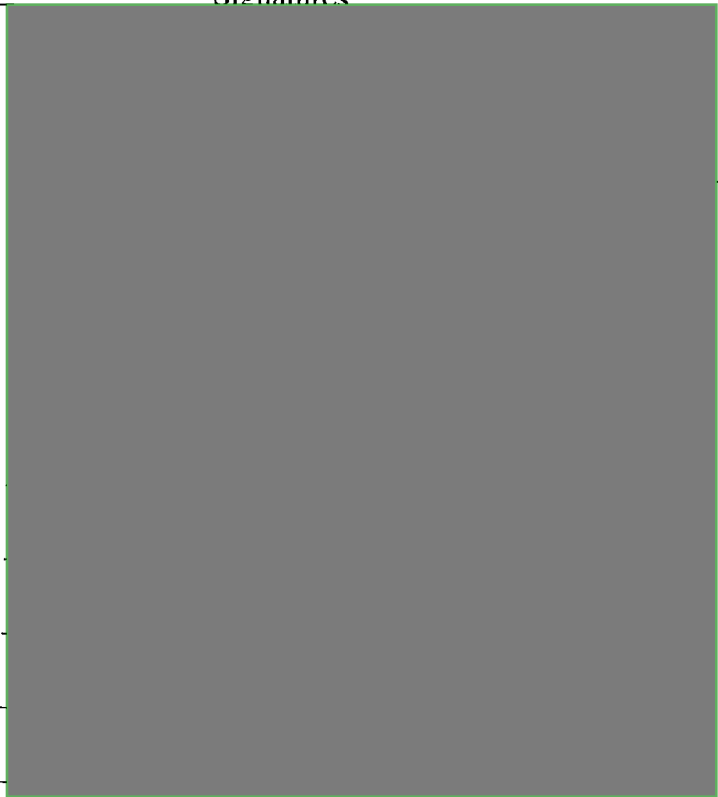
**Minority Views**

There were no minority views from the IACUC committee regarding the semiannual review or report.

IACUC Members

Signatures

- [Redacted] PhD  
(Chairman)
- [Redacted] DVM
- [Redacted], PhD  
DVM
- [Redacted] EH&S  
PhD
- [Redacted] PhD
- [Redacted] DVM, PhD  
PhD
- [Redacted] DVM, PhD
- [Redacted] PhD





FOIA 10-549

[Redacted] MA

[Redacted] PhD

[Redacted] PhD

[Redacted]

[Redacted] PhD

[Redacted] PhD

[Redacted] PhD

[Large Redacted Area]

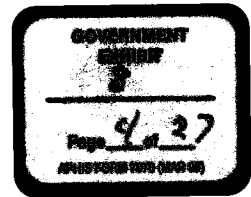
# Annual Review: Animal Housing and Support Areas

Revised 8/99

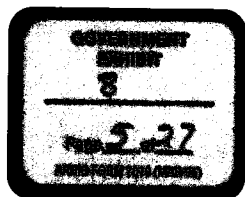
Instructions: This form is used in the semi-annual evaluation of animal housing and support areas. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation	5/15/08	
Evaluators	Printed Name	Signature

Animal Housing and Support Areas (identify site)	A	M	S
<b>Criteria</b>			
<b>1.0 Location</b>			
1.1 Animal areas separated from personnel areas	✓		
1.2 Adequate separation of species	✓		
1.3 Separation by disease status	✓		
<b>2.0 Construction</b>			
2.1 Sealed walls, ceiling, doors of adequate size with floor sweeps		✓	
2.2 Sealed corridor walls with bumper guards	✓		
2.3 HVAC producing 10 air changes per hour in all animal rooms	✓		
2.4 Adequate drainage	✓		
2.5 Adequate power and lighting	✓		
2.6 Noise attenuation of relevant species	✓		
2.7 Appropriate temperature and humidity ranges for animal rooms	✓		
<b>3.0 Sanitation and waste disposal</b>			
3.1 Adequate frequency of cage and rack changing	✓		
3.2 Each room equipped with appropriate cleaning tools	✓		
3.3 Timely removal of refuse from rooms and hallways.	✓		
3.4 Appropriate use of chemical disinfectants	✓		
3.5 Procedures for collection, storage and disposal of wastes	✓		
3.6 Hazardous waste disposal program is in place	✓		
3.7 Adequate procedures for disposal of carcasses	✓		
3.8 Adequate cleaning and sanitation of hallways and support areas	✓		
3.9 Appropriate monitoring of sanitation process	✓		



Animal Housing and Support Areas			
Criteria	A	M	S
<b>4.0 Animal housing, behavioral management, psychological well-being</b>			
4.1 Animal caging is appropriate size according to USDA regs and Guide	✓		
4.2 Bedding is appropriate to species and intended research purposes of animals	✓		
4.3 Functional and accessible water supply providing clean potable water	✓		
4.4 Adequate, clean, accessible food supply appropriate to the species	✓		
4.5 Psychological well-being program for primates in place with adequate records	✓		
4.6 Pair housing of primates where possible and within experimental aims	✓		
4.7 Exercise and socialization program for dogs is in place with adequate records	✓		
4.8 Documented, IACUC-approved exceptions to normal SOP housing standards	✓		
4.9 Provision for undisturbed observation of animals	✓		
<b>5.0 Food and bedding storage and use; water system</b>			
5.1 Food and bedding stored on pallets and removed from wall by 6 inches		✓	
5.2 Food rotation system in place	✓		
5.3 All primate and guinea pig food within 90 days of the milling date	✓		
5.4 All food other than primate or guinea pig food within 180 days of milling date	✓		
5.5 Perishable food is of adequate quality and appropriately stored	✓		
5.6 Storage of food in sealed containers with labeled expiration dates	✓		
5.7 Appropriate feeding schedules	✓		
5.8 Water supplied ad libitum unless restriction required by approved protocol	✓		
5.9 Water quality is adequate	✓		
<b>6.0 Pest control program</b>			
6.1 Pest control program in operation	✓		
6.2 Mechanism for notifying investigators of chemical use that may impact research	✓		
6.3 Mechanism for restricting dispersion of chemicals and agents	✓		
<b>7.0 Weekend, holiday and emergency care</b>			
7.1 Schedule set for weekend and holiday care	✓		
7.2 On call list is accessible for emergency problems	✓		
<b>8.0 Animal identification and records</b>			
8.1 Cage card program is in place and working	✓		
8.2 Individual medical records maintained for appropriate regulated species	✓		
<b>9.0 Genetics and nomenclature</b>			
9.1 Appropriate records maintained for genetically unique stocks	✓		
9.2 Appropriate nomenclature used in naming new genetic stocks	✓		
<b>10.0 Personnel areas</b>			
10.1 Locker rooms	✓		
10.2 Administration area	✓		
10.3 Breakrooms	✓		
<b>11.0 Specialized space considerations</b>			
11.1 Receiving area	✓		
11.2 Quarantine program	✓		
11.3 Isolation rooms	✓		
11.4 Necropsy room	✓		
11.5 Radiology	✓		



NOTATIONS: Please indicate the item number and detail any minor or significant deficiencies noted.

1) Chipped paint 1061 LAR

2) Food needs to be moved away from wall in KLSIC, LAR + MREC

3) Biohazard sheets in 3027 + 3028 in the LAR needs to be updated with current contact info for PI.

# Annual Review: Veterinary Medical Care

Revised 8/99

Instructions: This form is used in the semi-annual evaluation of veterinary medical care. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

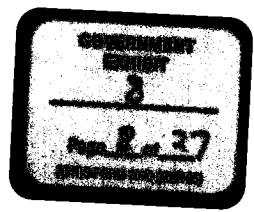
Date of Evaluation	5/15/08	
Evaluators	Printed Name	Signature
[Redacted]		

Veterinary Care Program			
Criteria	A	M	S
<b>1.0 Preventative medicine/procurement/transportation</b>			
1.1 Evaluation of animal vendors	/		
1.2 Procedures for lawful procurement of animals	/		
1.3 Lawful transportation of animals	/		
1.4 Procedures for entry clinical evaluation, quarantine, stabilization	/		
1.5 Separation of species; separation by health status; separation by source	/		
1.6 Program for isolation of sick animals	/		
1.7 Program for surveillance, diagnosis, treatment and control of disease	/		
1.8 Availability of diagnostic resources for preventative health	/		
1.9 Provision for emergency, weekend and holiday veterinary care	/		
<b>2.0 Surgery</b>			
2.1 Availability of appropriate training of personnel in anesthesia and surgery	/		
2.2 Presurgical plan includes space, supplies, pre- and post-op procedures	/		
2.3 Procedures in place for monitoring anesthesia and analgesia	/		
2.4 Definitions distinguish major and minor procedures	/		
2.5 Use of effective aseptic technique for survival surgeries	/		
2.6 Defined procedures for use of the surgical facility	/		
2.7 Procedures for using and scavenging volatile anesthetics	/		
2.8 Procedures for autoclaving surgical packs and monitoring expiration dates	/		
2.9 Documentation of post-operative care	/		
3.0 Pain, distress, analgesia, and anesthesia			
3.1 Guidelines for assessment and categorization of pain	/		
3.2 IACUC guidelines for avoiding unnecessary pain or distress	/		
3.3 Appropriate anesthetics, analgesics, tranquilizers used for each species	/		
3.4 Paralytics not used without appropriate anesthetics to eliminate pain	/		
3.5 Veterinary input on choice of drugs	/		



Criteria	A	M	S
<b>4.0 Euthanasia</b>			
4.1 Use of the current guidelines of the AVMA Panel on Euthanasia	✓		
4.2 Process of IACUC approval for alternative euthanasia methods	✓		
4.3 Guidance provided on appropriate methods for each species	✓		
4.4 Training in humane methods of euthanasia is available to personnel	✓		
<b>5.0 Drug storage and control</b>			
5.1 Drugs stored in secure location, under appropriate conditions	✓		
5.2 Records maintained according to regulations	✓		
5.3 Procedures for assurance that drugs are within expiration dates	✓		

**NOTATIONS:** Please indicate the item number and detail any minor or significant deficiencies noted.

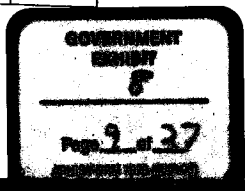
# Annual Review: Aseptic Surgery

Revised 8/99

Instructions: This form is used in the semi-annual evaluation of the aseptic surgery program and facilities. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation	5/15/08	
Evaluators	Printed Name	Signature
	[Redacted]	[Redacted]

Aseptic Surgery Evaluation			
Criteria	A	M	S
<b>1.0 General Considerations</b>			
1.1 Location minimizes traffic and contamination	✓		
1.2 Functional components such as surgical support, animal preparation, surgeon scrub, operating room, and post-operative recovery are designed and separated from one another, according to Guide recommendations.	✓		
1.3 Appropriate drug storage, control, expiration data monitoring.		✓	
1.4 Safe sharps disposal	✓		
1.5 Adequate records of anesthesia and peri-operative care	✓		
1.6 Aseptic procedures in use for all survival surgery	✓		
1.7 All drugs in the facility are within the expiration dates	✓		
1.8 All suture materials and supplies are within the expiration dates		✓	
1.9 Component areas are clean, organized and stocked	✓		
<b>2.0 Operating Room</b>			
2.1 Effective contamination control procedures	✓		
2.2 Effective cleaning procedures with dedicated tools	✓		
2.3 Interior surfaces smooth and impervious to moisture	✓		
2.4 HVAC system meets Guide requirements (filtered air at positive pressure)	✓		
2.5 Lighting is safe and appropriate	✓		
2.6 Outlets are safe and appropriate	✓		
2.7 Gas anesthetic scavenging is in place	✓		
2.8 Warning signs posted where needed	✓		
2.9 Fixed equipment is sanitizable	✓		
<b>3.0 Surgical Support Areas</b>			
3.1 Facility for washing, sterilizing, storing instruments and supplies	✓		
3.2 Autoclave monitoring procedures are implemented	✓		
3.3 Storage of autoclaved materials maintains sterility	✓		
3.4 Dating of autoclaved packs and supplies	✓		
3.5 Cold sterilization procedures are appropriate	✓		

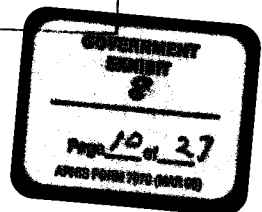


FOIA 10549  
Aseptic Surgery Evaluation

Criteria	A	M	S
<b>4.0 Animal Preparation</b>			
4.1 Contains sink and supplies to clean animal and operative site			
4.2 Cabinets contain appropriate supplies and pre-anesthetic drugs	✓		
<b>5.0 Surgeon Scrub</b>			
5.1 Located outside of the surgery room	✓		
5.2 Foot or knee-operated sink	✓		
<b>6.0 Post-Operative Recovery</b>			
6.1 Permits adequate observation of the animals	✓		
6.2 Area is easily cleaned	✓		
6.3 Area supports physiologic functions	✓		
6.4 Area minimizes risk of injury during recovery	✓		
<b>7.0 Dressing areas</b>			
7.1 Dressing rooms available.	✓		

NOTATIONS: Please indicate the item number and detail any minor or significant deficiencies noted.

- 1) Out of date heparin in Hogwood
- 2) Out of date sodium chloride in procedure room (3020) in LAC





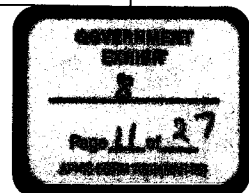
# Annual Review: General Procedure Areas

Revised 8/99

Instructions: This form is used in the semi-annual evaluation of procedure rooms. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation	5/18/08	
Evaluators	Printed Name	Signature
[Redacted]		

Procedure Areas	A	M	S
Location being evaluated:			
Criteria			
<b>1.0 Drug Storage</b>			
1.1 Drug are stored appropriately	✓		
1.2 Drugs in use are in date		✓	
1.3 Adequate records for controlled substances	✓		
<b>2.0 Occupational health and safety</b>			
2.1 Gas cylinders immobilized	✓		
2.2 Sharps containers are regulation and appropriately used.	✓		
2.3 Warning signs are posted as needed.	✓		
2.4 Chemical are stored appropriately	✓		
2.5 Scavenging of anesthetic gasses, if required	✓		
<b>3.0 General sanitation</b>			
3.1 Carcass disposal adquate	✓		
3.2 Room is free of refuse or debris	✓		
<b>4.0 Equipment maintenance</b>			
4.1 Equipment in the room is operational and well-maintained	✓		
<b>5.0 Room maintenance</b>			
5.1 Room walls and ceilings are free of defects.	✓		
5.2 Lighting and ventilation are adequate.	✓		
<b>6.0 Other Issues</b>			
6.1			
6.2			
General comments			
Out of date sodium chloride in 3000 LAR + out of date heparin in Hozind.			



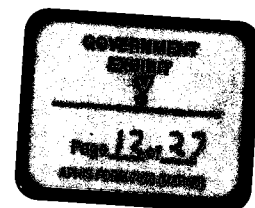
# Annual Review: Institutional Polices and Responsibilities

Revised 8/99

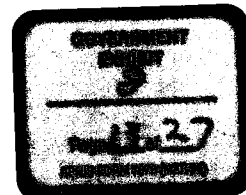
Instructions: This form is used in the semi-annual evaluation of institutional polices and responsibilities. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation	5/18/08	
Evaluators	Printed Name	Signature
[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]

Criteria	A	M	S
<b>1.0 IACUC membership and functions</b>			
1.1 Minimum of 5 members, appointed by the institutional official.	/		
1.2 Members include veterinarian, scientist, non-scientist, non-affiliated person	/		
1.3 Responsible for oversight and evaluation of the institution's program	/		
1.4 Reports to the institutional official	/		
1.5 Conducts semi-annual evaluations of animal care and use program	/		
1.6 Conducts semi-annual evaluations of animal facilities	/		
1.7 Reviews and investigates concerns about animal care and use at the institution	/		
1.8 Procedures for review, approval and suspension of animal activities	/		
1.9 Procedures for review and approval of significant changes to approved activities	/		
1.10 Policies for special procedures (restraint, mult surgeries, food/fluid restriction)	/		
<b>2.0 IACUC Records and Reporting Requirements</b>			
2.1 Reports to the institutional official (IO)	/		
2.1.1 Reports of semi-annual reviews and facilities inspections to IO	/		
2.1.2 Includes minority views of IACUC members	/		
2.1.3 Describes departures from Guide or PHS Policy and reasons for departure	/		
2.1.4 Distinguish minor and significant deficiencies	/		
2.1.5 Include a plan and schedule for correction of each deficiency	/		
<b>2.2 Reports to Office for Protection from Research Risks (OPRR)</b>			
2.2.1 Annual Report includes minority views of IACUC members	/		
2.2.2 Annual report documents changes; gives dates of semi-annual inspections	/		
2.2.3 Promptly advises OPRR of serious Guide deviations or Policy non-compliance	/		
2.2.4 Promptly advises OPRR of any suspension of activity by the IACUC	/		



Criteria	A	M	S
<b>2.3 Reports to the United States Department of Agriculture</b>			
2.3.1 Annual report containing required information			
2.3.2 Reporting mechanism in place for IACUC-approved exceptions to regulations			
2.3.3 Reports within 15 days failure to adhere to timetable of deficiency correction			
2.3.4 Reports IACUC-mandated suspension of activity to USDA and any federal funding agency			
2.3.5 Minutes of IACUC meetings and semi-annual inspections maintained for 3 yrs			
2.3.6 IACUC review documentation maintained for 3 yrs after completion of study			
2.3.7 IACUC review of activities involving animals includes all required information			
<b>3.0 Veterinary Care</b>			
3.1 Veterinarians with training or experience in lab animal medicine available			
3.2 Veterinarians have access to all animals			
3.3 Provision for back-up veterinary care			
3.4 Availability of guidance in handling, immobilization, sedation, anesthesia, analgesia			
3.5 Guidance and oversight of surgery programs and post-surgical care			
3.6 Authority to oversee all aspects of animal care and use			
<b>4.0 Personnel Qualifications and Training</b>			
4.1 Institution has established and implemented an effective training program			
4.2 Training includes professional/management/supervisory personnel			
4.3 Training includes animal care personnel			
4.4 Training includes research investigators, instructors, technicians, trainees, students			
4.5 Training Program Content			
4.5.1 Humane practices of animal care (housing, husbandry, handling)			
4.5.2 Humane practices of animal use (surgery, anesthesia, analgesia, etc.)			
4.5.3 Alternative methods that minimize number of animals needed			
4.5.4 Research/testing methods that minimize pain or distress			
4.5.5 Hazard communication program			
<b>5.0 Occupational Health and Safety of Personnel</b>			
5.1 Institutional Program for a Safe and Healthy Workplace			
5.1.1 Program is established and implemented			
5.1.2 Covers all personnel who work in laboratory animal facilities			
5.1.3 Program is based on hazard identification and risk assessment			
5.1.4 Training in specific hazards (zoonoses, pregnancy, un-defined illnesses, etc.)			
5.1.5 Personal hygiene procedures and equipment			
5.1.6 Procedures for storage, use and disposal of hazardous agents			
5.1.7 Specific Procedures for personnel protection (shower, change facilities, injury prevention)			
5.1.8 MSDS available through the institution			





## Annual Review: Investigator Laboratories

Revised 8/99

Instructions: This form is used in the semi-annual evaluation of investigator laboratories. Each component is evaluated in the context of the Guide for the Care and Use of Laboratory Animals, the Animal Welfare Act, and the PHS Policy. A component judged compliant is marked in the "A" column. Those with minor deficiencies are marked in the "M" column. Those with significant deficiencies are marked in the "S" column. Minor and significant deficiencies must be detailed by component in the notes section.

Date of Evaluation		
Evaluators	Printed Name	Signature

PI Last Name	
Protocol Number	
Building and Room	
Phone Number	
Acknowledged by:	

1.0 Use of animals in the laboratory	Yes	No	
Are animals used or held in the laboratory?			
Are animals held in the laboratory greater than 12 hours?			
Are surgical procedures done in the laboratory? If yes, please note what procedures below			
Are animals euthanized in the laboratory?			
What species are used in this laboratory?			
Criteria	A	M	S
<b>2.0 Methods of euthanasia</b>			
2.1 Indicate the method of euthanasia being used			
2.2 Method of euthanasia with AVMA Panel Guidelines			
2.3 Personnel trained in the euthanasia method			
<b>3.0 Anesthesia and surgery</b>			
3.1 Sterile instruments available			
3.2 Method of sterilization is adequate to kill organisms			
3.3 Sterile gloves available for surgical procedures			
3.4 Surgical scrubs and materials available for site preparation			
3.5 All drugs, sutures, supplies and materials are in date (USDA Policy #3)			
3.6 All scheduled drugs are maintained under lock-down with appropriate logs			
3.7 Anesthetics currently in use	Yes	No	
3.7.1 Injectable anesthetics			
3.7.2 CO <sub>2</sub> /O <sub>2</sub> anesthesia			
3.7.3 Ether anesthesia			
3.7.4 Halothane/metofane/aerraine anesthesia			
3.7.5 Gas anesthetic scavenging is adequate			
3.7.6 Adequate post surgical records are extant (SOP PROG 13, SOP VET 4)			















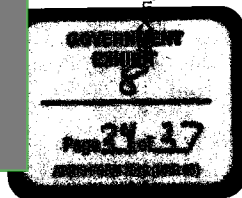






University of Kansas Medical Center Institutional Animal Care and Use Committee Investigator Laboratory Inspection Report

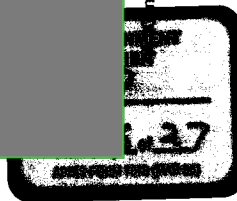
Principal Investigator		Protocol #	Use of Animals in Lab			Euthanasia Methods		Anesthesia and Surgery										Time Animals Held in Lab			Separating Lab Space			Notes				
First Name	Last Name		Building	Room	Species	Euthanasia Method	Euthanasia Method	31	32	33	34	35	36	37	37.1	37.2	37.3	37.4	37.5	37.6	4.1	4.2	4.3		4.4	5.1	5.2	5.3
	(b)(6), (b)(7)(c)	2006-1547			Rats	Pentobarb/perfusion	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Craniotomy, Osmotic minipump implantation
	(b)(2)High & (b)(7)(F)	2007-1688			Primates	Pentobarb/perfusion/or decapitate	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Craniotomy/infarct induction
	(b)(2)High & (b)(7)(F)	2007-1668			Primates	Pentobarb/perfusion	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Craniotomy/chronic electrode implants
	(b)(2)High & (b)(7)(F)	2005-1489			Mice	Halothane to open chest cavity	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Tissue collection only
	(b)(2)High & (b)(7)(F)	2005-1527			Mice	CO2/decapitation/Avertin/Intracardiac perfusion	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Intracochlear injection
	(b)(2)High & (b)(7)(F)	2005-1506			Primates		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	this protocol is currently not in use; experiments ended 4 months ago
	(b)(2)High & (b)(7)(F)	2005-1507			Primates	Euthanasia	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Euthanasia of this protocol is performed by personnel in the method and d not performed in the method.....S
	(b)(2)High & (b)(7)(F)	2006-1568				Avertin overdose/perfusion	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Electrode implant, head restraint implant, recording chamber implant





University of Kansas Medical Center Institutional Animal Care and Use Committee Investigator Laboratory Inspection Report

Principal Investigator		Building	Room	Protocol #	Use of Animals in Lab				Euthanasia Methods		Anesthesia and Surgery										Time Animals Held in Lab				Separating Lab Space		Surgical Procedures	Notes			
First Name	Last Name				Species	Y	N	Y	N	Euthanasia Method	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N			Y	N	Y
(b)(6), (b)(7)(c)	(b)(2)High & (b)(7)(F)			2007-1621	Y	N	Y	Y	Rats	Averin/perfusion	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Electrode implant	Halothane or gas scavenging system has been used year and is under construction. will put in place prior to use of halothane.	
				2006-1544																										No animals have been used on this protocol for over 6 months. Lab not inspected	
				2006-1600	Y	N	Y	Y	Rats	Pentobarb	M	A																		Microsurgical anastomosis	
				2007-1680	Y	Y	Y	Y	Rats	Pentobarb/Exsang	A	A	A	S	A															3.3. No surgical/steril gloves for survival surgery	
									Mice																					1.0 Survival surgery not listed on protocol summary	
				2007-1683	Y	Y	Y	Y	Rats	Pentobarb/Exsang	A	A	A	S	A															3.4.5 Drugs & logs stored elsewhere	
									Mice																					3.3. No steril gloves for survival surgery	
				2005-1496	Y	N	Y	Y	Rats	Pentobarb/Exsang	A	A																			1.0 Survival surgery not listed on protocol summary
																															3.4.5. Drugs logs stored elsewhere
				2007-1639	Y	N	N	Y	Mice	CO2/Physical	A	A																			Add in personnel
				2007-1689	Y	N	N	Y	Mice	CO2/Physical	A	A																			Amanda Krnig
				2007-1643																											24
																															No animals in use in lab

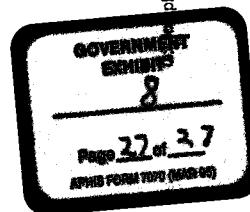


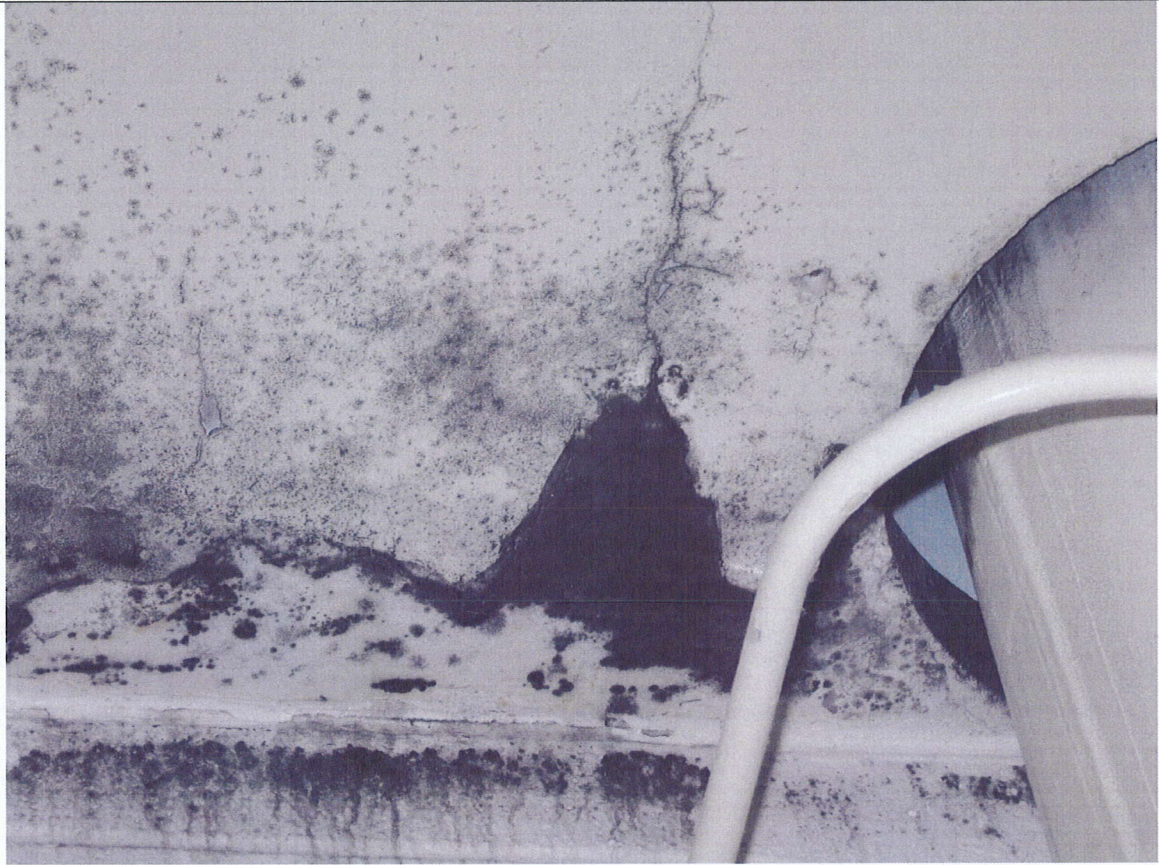




**University of Kansas Medical Center Institutional Animal Care and Use Committee Investigator Laboratory Inspection Report**

Principal Investigator		Building	Room	Protocol #	Use of Animals in Lab			Euthanasia Methods		Anesthesia and Surgery												Time Animals Held in Lab			Separating Lab Space		Surgical Procedures	Notes										
First Name	Last Name				Y	N	Y	N	Y	Euthanasia Method	Y	N	3.1	3.2	3.3	3.4	3.5	3.6	3.7	3.7.1	3.7.2	3.7.3	3.7.4	3.7.5	3.7.6	4.1			4.2	4.3	4.4	5.1	5.2	5.3				
		(b)(6), (b)(7)(c)	(b)(2)High & (b)(7)(F)	2007-1674	Y	N	N	Y	Rats	Isoflurane/exsanguination	A	A															A	A	A					10-549				
				2006-1561	Y	N	Y	Y	Rats	Isoflurane/exsanguination	A	A															A	A	A									
				2007-1626	Y	N	Y	Y	Rats	Pentobarb/exsanguination	A	A															A	A	A									
				2007-1684	N	N	N	N	Rats	Cervical Dislocation	A	A																										
				2008-1603	N	N	N	N	Rats	Decapitation	A	A																										
				2006-1604	N	N	N	N	Rats	Decapitation	A	A																										
				2006-1605	N	N	N	N	Rats	Decapitation	A	A																										
				2006-1607	N	N	N	N	Rats	Cervical Dislocation	A	A																										
				2006-1608	N	N	N	N	Mice	Cervical Dislocation	A	A																										
				2007-1623	N	N	N	N	Rats	Decapitation	A	A																										
				2007-1624	N	N	N	N	Rats	Decapitation	A	A																										
				2007-1625	Y	N	N	N	Mice	Cervical Dislocation	A	A																										
				2007-1656	Y	N	N	N	Mice	Cervical Dislocation	A	A																										
				2007-1640	N	N	N	N	Rats	Decapitation	A	A																										
				2007-1682	Y	N	N	Y	Mice	Cervical Dislocation	A	A																										
				2007-1694	Y	N	N	Y	Mice	Cervical Dislocation	A	A																										
				2007-1681	Y	N	N	Y	Mice	Cervical Dislocation	A	A																										
				2007-1665	N	N	N	N	Mice	Cervical Dislocation	A	A																										





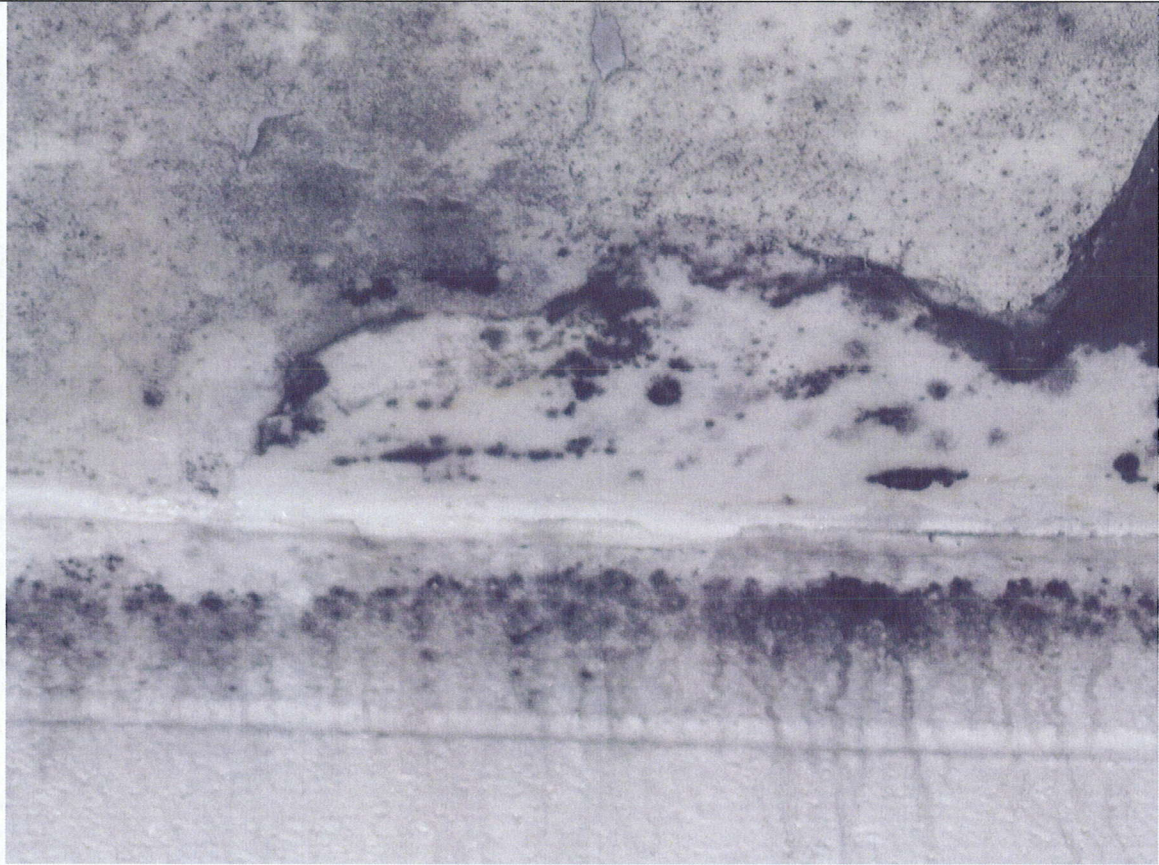
<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.56 (c) Sanitation
<b>DESCRIPTION:</b>	The ceiling in this room used to house rabbits has a black, mold like substance.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO

GOVERNMENT  
EXHIBIT

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Page 1 of 1  
APHIS FORM 7070 (MAR 99)





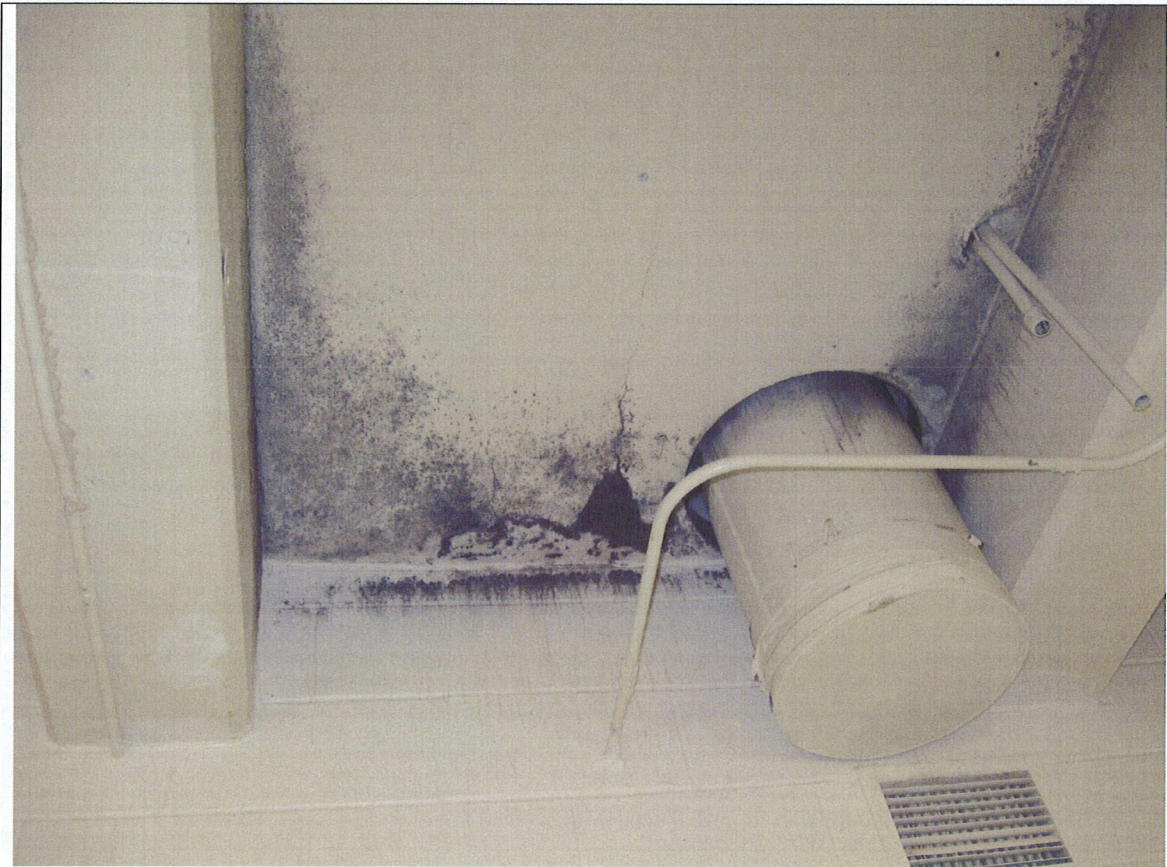
<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.56 (c) Sanitation
<b>DESCRIPTION:</b>	The ceiling in this room used to house rabbits has a black, mold like substance.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO





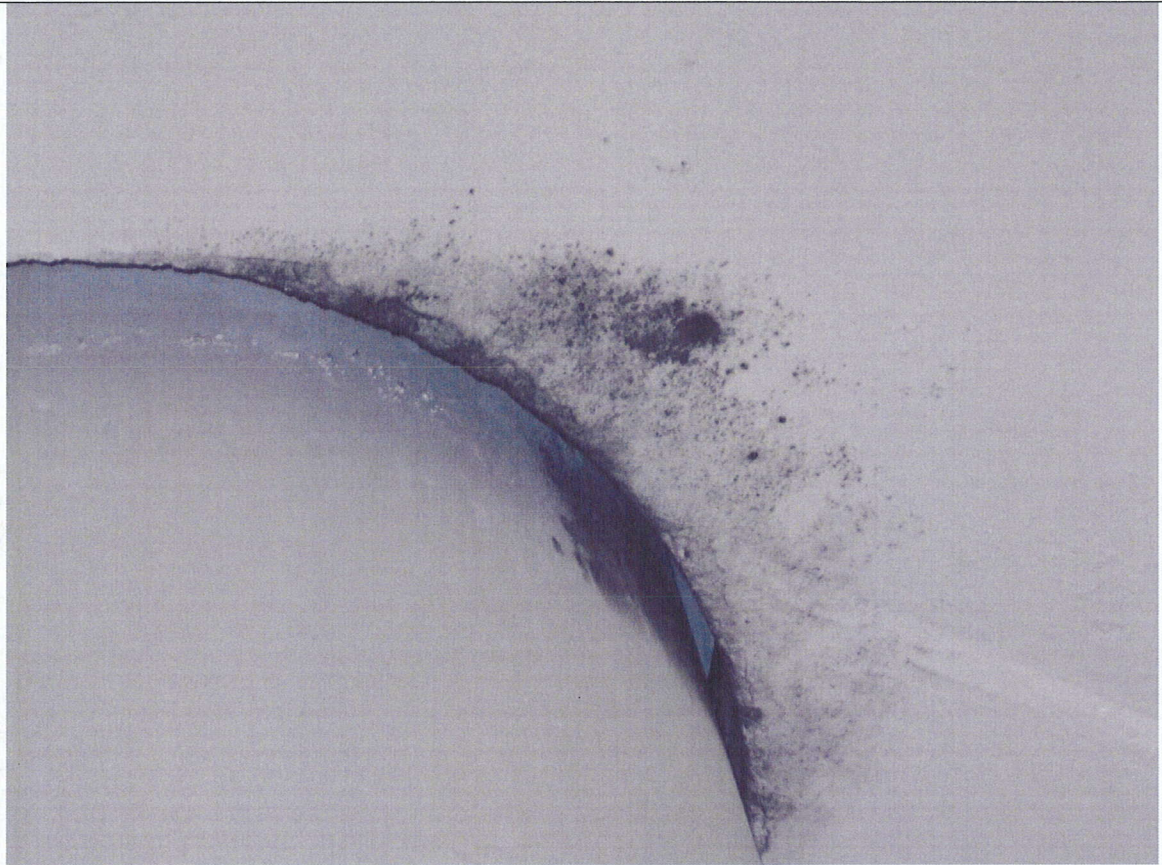
<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.56 (c) Sanitation
<b>DESCRIPTION:</b>	The ceiling in this room used to house rabbits has a black, mold like substance on the ceiling.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.56 (c) Sanitation
<b>DESCRIPTION:</b>	The ceiling in this room used to house rabbits has a black, mold like substance.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.56 (c) Sanitation
<b>DESCRIPTION:</b>	The ceiling in this room used to house rabbits has a black, mold like substance.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.56 (c) Sanitation
<b>DESCRIPTION:</b>	The ceiling in this room used to house rabbits peeling paint.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.56 (c) Sanitation
<b>DESCRIPTION:</b>	The ceiling in this room used to house rabbits has a black, mold like substance and peeling paint.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO

GOVERNMENT  
EXHIBIT

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APHIS FORM 7070 (MAR 95)





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (a) General housing facilities
<b>DESCRIPTION:</b>	The paint is peeling on the ceiling in a room used to house non-human primates.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (a) General housing facilities
<b>DESCRIPTION:</b>	The paint is peeling on the ceiling in a room used to house non-human primates.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO

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APHIS FORM 7070 (MAR 95)





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (a) General housing facilities
<b>DESCRIPTION:</b>	The paint is peeling on the ceiling in a room used to house non-human primates.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO

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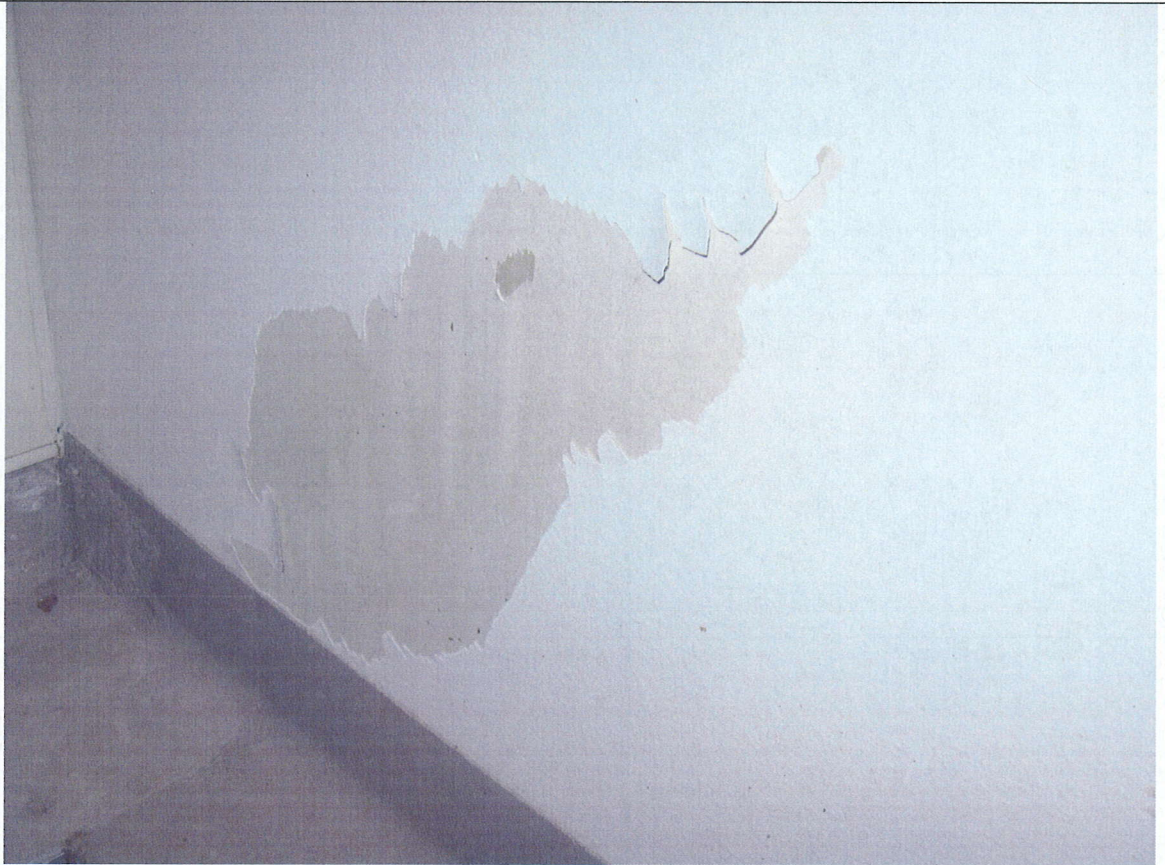
APHIS FORM 7070 (MAR 95)





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (c) (1) Housing facilities general
<b>DESCRIPTION:</b>	The wall in this room used to house non-human primates is damaged to the point that materials that are not impervious to moisture are exposed.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (c) (1) Housing facilities general
<b>DESCRIPTION:</b>	The wall in this room used to house non-human primates is damaged to the point that materials that are not impervious to moisture are exposed.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO

GOVERNMENT  
EXHIBIT

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APHIS FORM 7070 (MAR 95)





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (c) (1) Housing facilities general
<b>DESCRIPTION:</b>	The wall in this room used to house non-human primates is damaged to the point that materials that are not impervious to moisture are exposed.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO

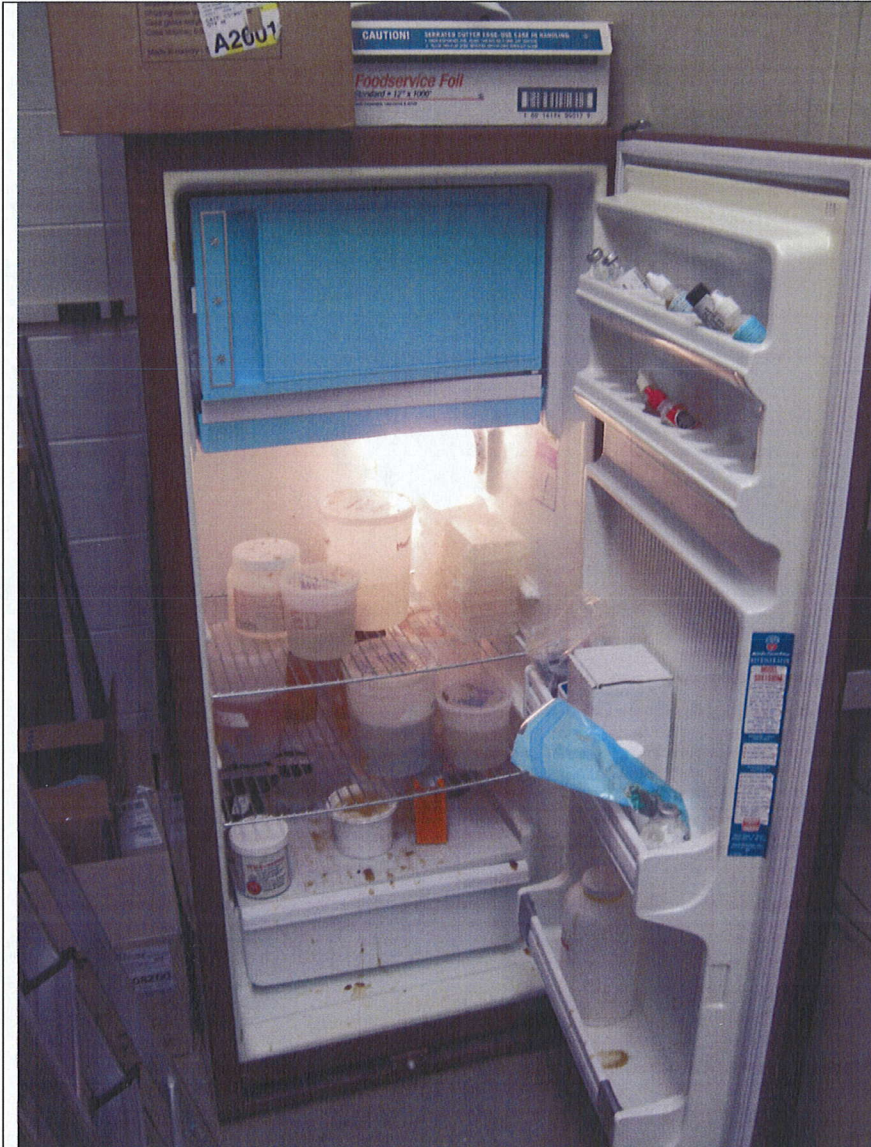
GOVERNMENT  
EXHIBIT

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APHIS FORM 7070 (MAR 95)





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (f) General housing facilities
<b>DESCRIPTION:</b>	This refrigerator is being used to store necropsy samples and medications. Note the spilled liquids present within the refrigerator.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO

GOVERNMENT  
EXHIBIT

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APHIS FORM 7070 (MAR 95)





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (f) General housing facilities
<b>DESCRIPTION:</b>	This refrigerator is being used to store necropsy samples and medications. Note the spilled liquids present within the refrigerator.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (f) General housing facilities
<b>DESCRIPTION:</b>	This refrigerator is being used to store animal parts and medications. Note the skull cap from a non-human primate next to the medication.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO

GOVERNMENT  
EXHIBIT

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APHIS FORM 7070 (MAR 95)





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (f) General housing facilities
<b>DESCRIPTION:</b>	This refrigerator, used to store medications and food items for the non-human primates, has a brownish liquid material on its shelves and the door.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO





<b>SUBJECT NAME:</b>	University of Kansas Medical Center
<b>LICENSE/REGISTRATION #:</b>	48-R-003
<b>9 CFR SECTION #:</b>	3.75 (f) General housing facilities
<b>DESCRIPTION:</b>	These medications were present in the refrigerator being used to store necropsy samples and animal parts.
<b>DATE:</b>	August 27, 2008
<b>TIME:</b>	
<b>PHOTOGRAPHER:</b>	Katheryn Ziegerer, VMO

GOVERNMENT  
EXHIBIT

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APHIS FORM 7070 (MAR 95)



### INSPECTION REPORT

Customer #: 1460  
Certificate #: 48-R-0003

Site #: 001

UNIVERSITY OF KANSAS  
MEDICAL CENTER

Site Name: UNIVERSITY OF  
KS MED CTR

3901 Rainbow Blvd.  
1040 Wescoe Pavilion-MS 2014  
Kansas City, KS 66160

INSPECTION  
Type: ROUTINE  
Date: DEC-18-2008

### NARRATIVE

#### 2.36 (b) (3) ANNUAL REPORT

(b) The annual report shall:

(3) Assure that the facility is adhering to the standards and regulations under the Act, and that it has required that exceptions to the standards and regulations be specified and explained by the principal investigator and approved by the IACUC. A summary of all such exceptions must be attached to the facility's annual report. In addition to identifying the IACUC-approved exceptions, this summary must include a brief explanation of the exceptions, as well as the species and number of animals affected;  
\*\*\*\*\*

The annual report submitted by the institution did not include notification of any exemptions to the Animal Welfare Act standards and regulations approved by the IACUC. During the reporting period, the IACUC approved at least two exemptions:

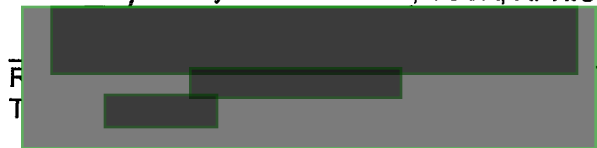
- 1) A male macaque was housed in a cage that did not allow him to stand up straight.
- 2) A non-human primate protocol required that animals be exempted from the institution's standard enrichment program due to concerns that the enrichment would interfere with the protocol's results.

All exemptions to Animal Welfare Act standards and regulations must be reported to the Animal Care Regional Director in order to protect the health and welfare of the animals. This report must be included with the annual report and include a brief explanation of the exceptions as well as the species and number of animals affected. The institution must submit an amended annual report including a summary of the exceptions to the Regional Office.  
\*\*\*

TO BE CORRECTED BY: January 9, 2009

*Katheryn Ziegler, VMO*  
Prepared by: *Katheryn Ziegler, V.M.O.*  
Title: *Veterinary Medical Officer, USDA, APHIS, Animal Care*

Date: DEC-18-2008  
Inspector ID: 5052



Date: DEC-18-20





### INSPECTION REPORT

Customer #: 1460  
Certificate #: 48-R-0003

Site #: 001

This was a focused inspection, only examining annual report compliance. This inspection was conducted by Kathryn Ziegerer, VMO, and facilities representatives. An exit conference was conducted at the time of the inspection.

*Kathryn Ziegerer, VMO*

Prepared by: Kathryn Ziegerer, V.M.O.  
Title: Veterinary Medical Officer, USDA, APHIS, Animal Care

Date: DEC-18-2008  
Inspector ID: 5052

Received by: [Redacted]  
Title: [Redacted] of Office of Compliance

Date: DEC-18-2008





UNITED STATES DEPARTMENT OF AGRICULTURE  
 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

1. CERTIFICATE NUMBER: 48-R-0003  
 CUSTOMER NUMBER: 1460

194 EPM APPROVED  
 OMB NO. 0579-0036

**ANNUAL REPORT OF RESEARCH FACILITY**  
 (TYPE OR PRINT)

University Of Kansas Medical Center  
 3901 Rainbow Blvd  
 1040 Wescoe Pavilion - Ms 2014  
 Kansas City, KS 66160

Telephone: (913) -588-7015

3. REPORTING FACILITY ( List all locations where animals were housed or used in actual research, testing, or experimentation, or held for these purposes. Attach additional sheets if necessary )

FACILITY LOCATIONS ( Sites ) - See Attached Listing

**REPORT OF ANIMALS USED BY OR UNDER CONTROL OF RESEARCH FACILITY ( Attach additional sheets if necessary or use APHIS Form 7023A )**

A. Animals Covered By The Animal Welfare Regulations	B. Number of animal being bred, conditioned, or held for use in teaching, testing, experiments, research, or surgery but not yet used for such purposes.	C. Number of animals upon which teaching, research, experiments, or tests were conducted involving no pain, distress, or use of pain-relieving drugs.	D. Number of animals upon which experiments, teaching, research, surgery, or tests were conducted involving accompanying pain or distress to the animals and for which appropriate anesthetic, analgesic, or tranquilizing drugs were used.	E. Number of animals upon which teaching, experiments, research, surgery or tests were conducted involving accompanying pain or distress to the animals and for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, res or interpretation of the teaching, research, experiments, surgery, or tests. ( An explanation of the procedures producing pain or distress in these animals and the reax such drugs were not used must be attached to this report	F. TOTAL NUMBER OF ANIMALS ( COLUMNNS C + D + E )
4. Dogs	3	0	14	0	14
5. Cats	0	0	0	0	0
3. Guinea Pigs	0	14	0	0	14
7. Hamsters	0	20	50	0	70
3. Rabbits	0	20	125	0	145
1. Non-human Primates	0	5	153	0	158
0. Sheep	0	0	0	0	0
1. Pigs	0	0	58	0	58
2. Other Farm Animals					
Goats	0	0	5	0	5
3. Other Animals					
Gerbils	0	0	48	0	48

**ASSURANCE STATEMENTS**

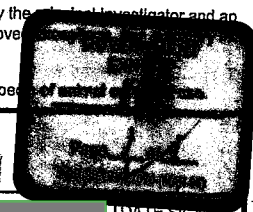
- 1) Professionally acceptable standards governing the care, treatment, and use of animals, including appropriate use of anesthetic, analgesic, and tranquilizing drugs, prior to, during, and following actual res teaching, testing, surgery, or experimentation were followed by this research facility.
- 2) Each principal investigator has considered alternatives to painful procedures.
- 3) This facility is adhering to the standards and regulations under the Act, and it has required that exceptions to the standards and regulations be specified and explained by the principal investigator and an Institutional Animal Care and Use Committee (IACUC). A summary of all such exceptions is attached to this annual report. In addition to identifying the IACUC-approved brief explanation of the exceptions, as well as the species and number of animals affected.
- 4) The attending veterinarian for this research facility has appropriate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of the facility's animal care program.

CERTIFICATION BY HEADQUARTERS RESEARCH FACILITY OFFICIAL  
 ( Chief Executive Officer or Legally Responsible Institutional Official )

SIGNATURE OF C.E.O. OR INSTITUTIONAL OFFICIAL  
 (b)(6), (b)(7)(c)

NAME & TITLE OF C.E.O. OR INSTITUTIONAL OFFICIAL

NOV 1



DATE SIGNED  
 11/12/08

# University of Kansas Medical Center Institutional Animal Care and Use Committee

## Minutes

DATE: May 20, 2008

TIME: 8:30 AM

PLACE: 2001 LAR

**1.0** Members present at this meeting (for secretary use only)

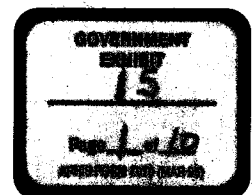
Name	Department / Affiliation	Location	Status	Attendance
(b)(6), (b)(7)(c)	Hearing & Speech	(b)(2)High & (b)(7)(F)	Voting member	Present
	Community Member		Non-Aff	Present
	LAR		Voting member	Present
	Env. Health & Safety		Voting member	Present
	Office of Compliance		Non-voting support	Present
	Office of Compliance		Non-voting support	Present
	Office of Compliance		Non-voting support	Present
	Biochemistry		Voting member	Present
	OB/GYN		Vice Chair	Present
	Hem/Onc		Voting member	Absent
	Anatomy		Voting member	Present
	LAR		Voting member	Present
	Physiology		Voting member	Present
	School of Nursing		Voting member	Present
	Occ. Therapy		Voting member	Present
	Physiology		Voting member	Present
	Pastoral Care		Voting member	Present
	Anatomy		Chair	Present
	Thrp Disc & Dev		Voting member	Present
	Microbiology		Voting member	Present
	Biostatistics		Voting member	Present

**2.0** Approval of minutes of the previous meeting

2.1 Meeting Date: April 14, 2008

2.2 Status: Approved

2.3 Comments:



Protocol #	Principal Investigator Department	Species Number requested USDA Class	Title	Status
2008-1728	(b)(6), (b)(7)(c) OB/GYN	1200 MICE USDA B	MicroRNA regulation of development and function of the female reproductive tract	Approved w/contingencies

The IACUC reviewed the above referenced animal care and use proposal (ACUP). It was approved with the following contingencies.

Form Item 6.1. Please list the number of animals in table format for Experiment #2 in both Aims as was done in Experiment #1. An inconsistency is noted of sample size in this proposal. It is stated that the sample size N = 16 for Aim#1 Experiment#2 (p.8, Line 6) but had N = 13 in this sample size justification "For these studies, we anticipate that we will require 13 mice/day ...". When I checked his justification, he assumed 6 pups/liter for the control group and 66% reduction in the experimental group (i.e. 3 pups/liter) and standard deviation (SD) of 6. However, if he expects the average to be 3 pups/liter for the experimental group, SD = 6 implies > 30% chance of negative number of pups under normal distributions. Then the justification based on 2-sample t-test is not valid. The strict justification is a challenge. To make an easy (quick but dirty) valid justification, we suggest Dr.

(b)(6), (b)(7)(c) assume a smaller SD, say SD = 3, for the experimental group so that the chance of having a negative number of pups is about 7% (not very close to 0 though, much better than 30%) and SD = 6 remains the same for the control group. In this way, staying with N = 13 mice per group will provide more than 80% power, and he does not need to change the total number of animals.

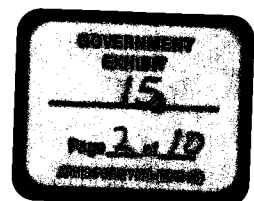
Form Item 6.4.3. Please complete this section.

Form Item 6.5. Please complete this section.

Please complete an IRSC form.

4.0 Re-submissions - None

Protocol #	Principal Investigator Department	Species Number requested USDA Class	Title	Status
				<input type="checkbox"/> Approval <input type="checkbox"/> Contingencies <input type="checkbox"/> Tabled <input type="checkbox"/> Disapproval



Protocol #	Principal Investigator Department	Species Number requested USDA Class	Title	Status
2008-1733	(b)(6), (b)(7)(c) Molecular & Integrative Physiology	7 PRIMATES USDA C	Electrical stimulation of cortical motor output	Approved w/contingencies

The IACUC reviewed the above referenced animal care and use proposal (ACUP). It was approved with the following contingencies.

Form Item 1.1. In "ACUP Summary Data", please change the euthanasia method to "ketamine in combination with metatomadine" plus add a physical method (exsanguination).

Form Item 2.0. Please include protocol number of protocol being replaced.

Form item 4.0. Please add a statement indicating why less sentient vertebrates would be inappropriate.

Form Item 6.1. Please provide a description of the procedure used to acquire EMG potentials (e.g., how are the monkeys connected to the instrumentation)? Under "study group 2", in the first paragraph, the committee assumes "aims 1-5" should be "aims 1-4". Likewise in the justification paragraph, "aims 2-4" should be "aims 1-4". Please clarify.

Form Item 6.3. If sutures are used to close the scalp incision, a discussion of suture inspection and removal should be included. If they (or an equivalent) are not used, please state how the scalp wound is closed?

Form Item 6.4. Monkey collars are described as including an activity monitor, but the purpose of this monitor is not explained. Please address.

Form item 6.3.5. The veterinary staff suggested that antibiotics be started before surgery.

Form Item 6.4.2. Please provide additional information regarding the behavioral training procedures. For instance, duration of training (per session, total sessions), adaptation to primate chair and task requirements, type of task feedback provided, etc., to provide the committee with insight into the potential stress associated with such experiences.

Form Item 6.4.3. Most of the answer given here relates to post-surgical pain/distress and should be moved to section 6.3.5. Instead, please elaborate on any potential pain/distress issues related to non-surgical procedures.

Form Item 6.5. Please add information regarding potential post-op conditions that might warrant euthanasia.

Form Item 6.6. Please add isoflurane to the table.

Form Item 6.7. Clarify whether the behavior work is being done in the RSF (as written) or in Smith East. Clarify whether monkeys will be working on the tasks for 40-60 minutes (as suggested here) or for 2-4 hours (as suggested in section 6.4.2). Under "other aspects", please describe the primate jackets and their care. Include a justification for their use and the length of time animals are restrained in jackets. In either "other aspects" or in section 6.4.3, please address the adaptation of the monkeys to head restraint procedures after the weeks/months of behavioral training without head restraint.

Form Item 6.10. For Dr. (b)(6), (b)(7) please list specific duties other than just "PI" (e.g., surgery). Also, please add Dr. (b)(6), (b)(7) to this list.

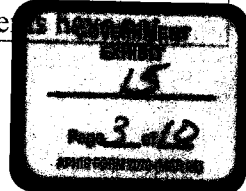
Form Item 11.0. The housing location should be the 5th floor of Smith East.

2008-1731	(b)(6), (b)(7)(c) Pharm/Tox/Thrp	397 MICE USDA C	C/EBPB in PKD pathogenesis and renal fibrosis	Approved w/contingencies
-----------	-------------------------------------	--------------------	--	-----------------------------

The IACUC reviewed the above referenced animal care and use proposal (ACUP). It was approved with the following contingencies.

Form Item 1.1. In summary table, list all procedures used on animals in protocol including tissue harvest, tail clips, toe clips, etc.

Form Item 3.0. The concordant review in item 12.0 does not describe UUO experiments. In addition, mention of the purpose of this project is to obtain preliminary data, in section 6.1, suggests that these experime





been peer reviewed. Explain how this protocol has been completely peer-reviewed, or have chairman sign off as not peer-reviewed.

Form Item 6.1. Please clarify what is meant by "identify >100% difference in renal injury". In power analysis for study 1-1, indicate what "means" are being used. In study 1-2, provide age of mice for cell culture and justification for the numbers of mice required. For example, # IMCD cells expected to be generated from kidney pairs and how many cell numbers are needed for each measurement (cell proliferation, apoptosis, cyst formation, fluid secretion, and gene expression). Explain how the mice for cell culture will be generated. In the introduction for Aim #2, define the abbreviation. Please correct "day 8" in table. Correct number of mice needed for cell culture experiments by including second age. Study 2-2 describes that 4 mice/group will be used, yet 6 mice are listed per group in the table. Correct number of mice/group in study 2-2. Include sham operation controls in table under study 2-2. Veterinarians suggest that UUO model is not good renal fibrosis model and suggest use of low amount of ethylene glycol.

Form Item 6.2. Please provide a table indicating the predicted number of all genotypes from the crosses and indicate the animals that will be used in the studies and those that will be culled. Study 2 -1 says that two ages of mice will be used for cell culture, yet table only lists mice for one age. In addition, ham operated controls and ROSA26 mice do not appear in animal numbers table. Please be sure to include animal numbers for second age in study 2-1, for sham operation controls for study 2-2 and for ROSA26 mice. Some of the mice for studies 1-1 and 1-2 are included in USDA category E. Please provide justification for the need to use mice in this category.

Form Item 6.3.3. Please correct table. Three different anesthesia agents are listed, yet only one is described as being used.

Form Item 6.3.4. Vascular cannulations are listed in the table, but not in the study design, please clarify. Sham operation controls are mentioned but no mice are allotted for this control. LAR vets recommend that UUO mice be placed in category E and justified unless pain relief will be provided for the two weeks of the experiment. Please correct table and place UUO mice in category E or explain why they should not be in category E.

Form Item 6.4. Describe when and why retro-orbital bleeds are being performed. Also, indicate if procedure will be performed with analgesia or under anesthesia. If not, provide justification.

Form Item 6.4.3. The deletion of C/EBP beta from bone may result in deleterious effects, please discuss the potential effects and plans for pain/distress. Also describe how pain will be managed.

Form Item 6.10. Please provide assurance that (b)(6), (b)(7)(c) is trained to perform neonatal UUO surgeries.

Form Item 7.0. Please complete section.

Form Item 8.0. Please identify pathogenic cell lines or materials.

(b)(6), (b)(7)(c)	577 MICE USDA C	C/EBPbeta in liver pathophysiology and carcinogenesis	Approved w/contingencies
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The IACUC reviewed the above referenced animal care and use proposal (ACUP). It was approved with the following contingencies.

Please define all abbreviations and/or acronyms the first time used.

Form Item 1.0. Animal use location has LAR and KLSIC 4001. Please check with veterinary staff and confirm if infected animals will be allowed in KLSIC. Please add LVS (Live Vaccine Strain) following *Franciscella tularensis* throughout the document.

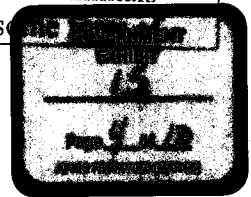
Form Item 1.2. Please update animal training date to most recent refresher training date.

Form Item 3.0. Please clarify that the renal fibrosis study is not peer reviewed.

Form Item 4.0. Aim 1 does not seem to reflect some of the studies being done in the protocol. There is no mention of the liver cancer studies. Please list the aims in this section as stated later in the protocol under sections 1-1, 1-2, 1-3, 1-4 and 1-5. This would make five specific aims and improve the clarity under 4.0.

Form item 5.3. Please modify search to include results from PubMed or Medline in addition to the research and animal welfare databases listed.

Form Item 6.1. Under study 1-4, as stated this is a liver fibrosis and carcinogenesis study for which the animals will be sacrificed at 3, 9 and 15 months. In almost all carcinogenesis studies the animals are under s





pain and distress from tumor burden. It would appear the animals in study 1-4 should be placed in category D (if pain and distress are to be relieved) or E (if pain and distress are not to be alleviated). If the investigator wishes that the animals remain in category C then please describe why they believe the tumor burden animals will not be under pain and distress. Similar studies in this protocol under aim 1-5 have tumor burden animals in category D. Regarding the intrahepatic infection with *Francisella tularensis*, the ACUP states Dr. (b)(6), (b)(7)(c) will conduct the infections under BSL2 conditions in rooms G035-36 RSF. Are these rooms still available for use? Where will infected animals be housed for the 2 or 6 days after inoculation?

Form Item 6.2. Please state your plans for the extra offspring from breeders and are these taken into account in the animal number estimates? There are 20 + 12 animals in Category E – but there is no accompanying justification for these animals. There needs to be a clearly identified section of texts that addressed the need for Category E specifically.

Form item 6.3.2. Please note that buprenex will be given pre-operatively.

Form Item 6.3.4. Please add that the animal will be scrubbed first with betadine followed by 70% ethanol three times around the surgical site to create a sterile field. Additionally, the reference (Wang et al 2006) listed in the ACUP describes an intrasplenic/portal injection in the methods section suggesting a specific anatomical location in the spleen that may be critical to the dissemination of metastasis. Please clarify if there is a specific inoculation site in the spleen such that after a one minute incubation followed by splenectomy it will allow for the development of liver metastasis. Also, please indicate the experience of the investigator performing these procedures and whether they have successfully achieved liver metastasis using this model. Please state if bile duct ligation leads to pain/distress after 2 weeks.

Form Item 6.3.5. Please state if post-operative pain may persist and if so, indicate the length of time.

Form item 6.4. Please provide more information about toe clips and retro orbital bleeds. Please provide justification for the need to use this method of identification, indicate the age at which animals will undergo toe clips, if this will be done under anesthesia or with an analgesic. If not, provide justification for withholding. Also, indicate the frequency of retro orbital bleeds, if the procedure will be done under anesthesia or with an analgesic. In addition, indicate if the procedure will be done on alternating eyes if frequent.

Form Item 6.4.2. Please add the cardiac bleed described under 9.0 in this section. Please mention injections of agents here, even though they are detailed earlier.

Form Item 6.4.3. Please add your pain management plan specifically for Category E animals, in addition to the listed clinical signs of pain and distress. If pain and distress are to be untreated please indicate.

Form Item 6.5. Please define "persist". Please indicate the period in time in which a >15% weight change in mice will be observed. Also, when will baseline weight be obtained?

Form Item 6.8. Please indicate physical methods for pentobarbital and CO2.

(b)(6), (b)(7)(c)	198 MICE USDA B 627 MICE USDA C	Immune tolerance in pregnancy	Approved w/contingencies
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The IACUC reviewed the above referenced animal care and use proposal (ACUP). It was approved with the following contingencies.

Define all abbreviations and acronyms the first time used.

Form item 1.2 and 6.10. Please confirm spelling (b)(6), (b)(7)(c) and list consistently in both tables.

Form Item 4.0. Specific Aim I: Please define the Act-mOVA mice, and provide rationale for their use. Specific Aim II: Please define OT-I mice and describe how they will be used.

Form item 6.0. Aim 1, exp 1, please justify using 4 mice/sample by estimating the number of cells needed and the number of cells that can be obtained per mouse. Also, the protocol implies that it will take 28 females to ensure four females at a time are plugged. 28 females x 3 time points x 4 replicates x 2 male strains = 672 females. Please clarify why 135 females are requested.

Form Item 6.4.3. To avoid confusion regarding euthanasia technique, indicate that euthanasia by CO2 inhalation will be followed by cervical dislocation.



376 PIG USDA D	Dilation of pig arteries and veins by proteolysis of intramural elastin	Approved w/contingencies
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The IACUC reviewed the above referenced animal care and use proposal (ACUP). It was approved with the following contingencies.

- Form Item 1.0. Please provide the summary missing on the first page.
- Form item 4.0 and 5.3 (replacement). Please indicate why the pig is the most appropriate model and why a less sentient model is not suitable.
- Form Item 5.3. Please clarify why a 10% loss of animals is expected.
- Form item 6.2. The committee believes that the number of pigs requested is high especially since most of this work is complete. Please provide justification for animal numbers requested.
- Form Item 6.9. Please enter the physical method of euthanasia used in conjunction with beuthanasia.
- Form Item 6.3.4. Please clarify which animals will undergo which procedures and study endpoints.
- Form item 6.5. The committee believes that greater than 30% weight loss is excessive. Please justify or clarify if this percentage will be over an extended period of time.
- Form item 6.6. Please include contrast agents in this list.

### 6.0 Proposals Requiring Investigator Action

Protocol #	Principal Investigator Department	Species	Title	Status
[REDACTED]	[REDACTED]	MICE	Type IV Collagen, Laminins, and Integrins Regulate Glomerular Formation/Function	Approved
[REDACTED]	[REDACTED]	MICE	Delivery of chemotherapeutics to the lymphatic system for treatment of cancer	Approved
[REDACTED]	[REDACTED]	RATS	Oxidant Stress-induced Liver Injury	Pending Response from PI
[REDACTED]	[REDACTED]	MICE	Mechanisms of Microcystin-induced Liver Injury	Pending Response from PI
[REDACTED]	[REDACTED]	MICE	Regulation of hepatic uptake and efflux transporters	Approved
[REDACTED]	[REDACTED]	MICE	Role of Abcb6 in drug metabolism and disposition in liver	Approved
[REDACTED]	[REDACTED]	PRIMATES	Use of the Vpu Inhibitor BIT225 to Control SHIV Replication	Pending Response from PI
[REDACTED]	[REDACTED]	MICE	Thymic Migration Studies	Approved



7.0 Addenda reviewed in meeting

Protocol #	Principal Investigator Department	Species	Title	Status
[REDACTED]	[REDACTED]	MICE, RATS	Traumatic Central Nervous System Injury: Mechanism of outcome based on age and hormone status	Tabled

The IACUC reviewed and tabled the addendum to the above referenced animal care and use proposal. Following is a list of items to address in the re-write.

Please remove references to [REDACTED] and her protocol (2006-1550) from ACUP identification section. Form Item 1.0. Please describe the proposed procedures, animals needs associated with those procedures, rationale for change, and indicate study personnel responsible for them.

Form Item 3.0. This requires an answer as to how the changes are different from existing protocol.

Form Item 5.0. Please add information about animals being used. Include the number of animals requested, USDA class and statistical justification.

[REDACTED]	[REDACTED]	MICE, RATS	Synthesis & Testing of Male Contraceptive Agents	Tabled
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The IACUC reviewed and tabled the addendum to the above referenced animal care and use proposal. Following is a list of items to address in the re-write.

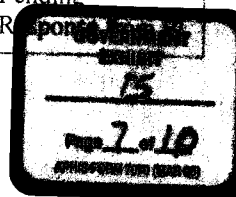
Form Item 1.0. Please describe the proposed procedures, animal needs associated with those procedures, and rationale for changes.

Form item 3.0. Describe how this relates to and differs from existing protocol.

Form Item 5.1. Indicate how many animals will be needed in each USDA class. Then provide statistical justification for the number of animals requested. If its not possible to obtain statistical justification, estimate need based on citation of previous work, or anticipated cell yields multiplied by the number of animals required to obtain that yield then the number of replicates for each experiment.

8.0 Addenda reviewed outside meeting

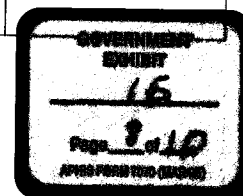
Protocol #	Principal Investigator Department	Species	Title	Status
[REDACTED]	[REDACTED]	MICE, RATS	Molecular physiology of the NA, K-ATPase isoforms	Approved
[REDACTED]	[REDACTED]	PRIMATES	Morphine And the Neuropathogenesis of SIV in Macaques	Approved
[REDACTED]	[REDACTED]	PRIMATES, RATS	Nanoparticle-Based Gene Therapy for SHIV-Pneumonia in Macaques	Approved
[REDACTED]	[REDACTED]	RATS	Metabolic Physiology in Rodents	Approved
[REDACTED]	[REDACTED]	MICE	Role of coagulation in tissue injury	Pending Response



[Redacted]	MICE	Humanized prostate cancer tumor models	Approved
	MICE	Antibody Induction by an Antigen in Two Different Forms	Approved

9.0 Proposals under annual review

Protocol #	Principal Investigator Department	Species	Title	Status
[Redacted]	[Redacted]	MICE	Mineralization Studies Related to Oral Biology	Approved
[Redacted]	[Redacted]	MICE	Development of magnetic resonance spectroscopy (MRS) studies of small animals at 9.4 T	Approved
[Redacted]	[Redacted]	MICE	Nrf2-ARE Pathways: Discovery of Novel Chemopreventive Compounds	Approved
[Redacted]	[Redacted]	RATS	Brain LC-PUFAs and Maternal Mental Health	Approved
[Redacted]	[Redacted]	MICE	Eicosanoids in glomerular permeability	Approved
[Redacted]	[Redacted]	MICE	Innate Immunity to Francisella tularensis	Approved
[Redacted]	[Redacted]	MICE	Locus-linked Regulatory Motifs of Globin Gene Switching	Pending Response from PI
[Redacted]	[Redacted]	RATS	Contributing factors in an animal model of retinopathy of prematurity (ROP)	Approved
[Redacted]	[Redacted]	MICE	Viral fitness within hosts: Theory in a novel experiment system	Pending Response from PI
[Redacted]	[Redacted]	RATS	NGF and Post-infarct sympathetic neuroplasticity.	Approved
[Redacted]	[Redacted]	MICE	Chemokine Regulation of Breast Cancer Metastasis	Approved
[Redacted]	[Redacted]	MICE	Morphine regulates Th1/Th2 CD4+ T cell differentiation	Approved





2007-1640	Pharm/Tox/Thrp	RATS	The Suppressive Effect of Tryptophan Metabolites on the Immune Rejection of Rat Cardiac Transplants	Approved
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## 10.0 Requests for deactivation

Protocol #	Principal Investigator Department	Species	Title	Status
2005-1500		MICE	Regulation and function of Egr in gonadotropes	Approved
2005-1492		MICE	Src Tyrosine Kinase Regulates Gonadal Steroidogenesis	Approved

## 11.0 Programmatic exemptions

**11.1** Cheney protocol # 2005-1507 due to difficulty with operating the PI's pole and collar system to remove primates from 2-plex cages, the PI has requested approval to temporarily keep a primate in a 4-plex cage that is slightly smaller than optimal until modifications can be made to the pole and collar system that will work better with 2-plex cages. The 4-plex cage meets weight but not height requirements.

**11.2** Klaasen protocol 2005-1504. The investigator requests extending the weaning date for CAR-null mice to postnatal days 24-25.

Smith, Marilyn 2006-1560. The investigator requests permission to extend the weaning age of newborn NOD/scid IL2R gamma null mice to 28 days to increase survival rates.

**11.3** Soares protocol 2007-1645. The investigator requests to extend the weaning age of mice to 28 days to increase survival rates.

**11.4** Vines protocol 2006-1565. The investigator requests permission to include harem breeding and allow pups to wean for 21-28 days depending on the size of the pup.

**11.5** Wright protocol 2005-1487. The investigator requests to extend the weaning age of selected homozygous NT-3 lox runts to 28 days.

**11.6** Yankee protocol 2005-1502. The investigator requests permission to extend the weaning age of mice no more than 28 days. Pups will generally be weaned between 24 – 26 days.

**11.7** Yankee protocol 2005-1502. The investigator requests permission to include harem breeding and to not separate litters immediately after birth. Upon birth of the first litter, all mice will remain in the same cage. When the second litter is born, the first litter and mother will be removed within 72 hours of the birth of the second litter.

**11.8** Psychological well-being of primates

**11.8.1** Buch projects – no group housing due to inoculation of animals

**11.8.2** Stephens projects – no group housing due to inoculation of animals.

**11.8.3** Cheney projects – no group housing due to “caps” on heads of animals.

**11.8.4** Nudo projects – no toys in cages because it interferes with manipulation studies.





**11.8.5** An exemption for new monkeys, those that are young and not trained for transfer cages. Leave kong toys out of the cages until they are conditioned to the transfer cage. Toys prohibit a tight squeeze to force them into the cage. Other enrichments, including perches, food variety, mirrors, etc. will be maintained. Exemption is limited to not more than 2 months.

**12.0 Personnel training**

12.1 List will be attached to the minutes of the meeting.

**13.0 Repair tracking**

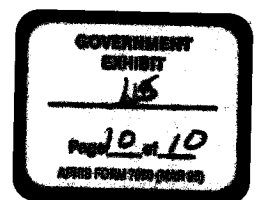
Description of Item Needing Correction	Location	Date Item Found	Estimated Completion Date	Committee Assigned Completion Date
Status				
Status				

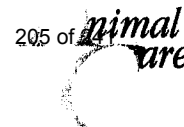
**14.0 Programmatic issues**

- 14.1 The last group of PI rooms is being moved from the LAR to KLSIC. The plan is to move as many rooms as possible in anticipation of construction of the new cagewash. Space and research needs will be reassessed after construction. In addition, the LAR is doing extensive testing with sentinels. Any colonies testing positive will not be allowed to move.
- 14.2 The purchase order for the new cagewash was submitted in March. Demolition of the existing cage wash will begin at the end of June. Delivery of the new one is scheduled for mid-October. Also, dr. (b)(6), (b)(7)(C) submitted a grant to NIH to fund additional ventilated racks.
- 14.3 No major problems were indentified during the program and facility review. Investigator lab inspections are currently being completed.
- 14.4 The IACUC still plans to write a letter to administration asking for additional backing for the LAR and infrastructure supporting animal research at KUMC.
- 14.5 SOP for addenda – Discussion to be held during the Executive Team meeting.

**15.0 Other business**

15.1 The annual compliance training window ended in March. Those not complaint with training requirements will have network access suspended until training requirements have been met.





USDA, APHIS, Animal Care

ANIMAL WELFARE COMPLAINT

Complaint No. Date Entered Received By
FY#W10-131 27-May-10 D.W.

Referred To Reply Due
SACS/Inspector

Facility or Person Complaint Filed Against

Name Customer/License/Registration No.
UNIVERSITY OF KANSAS MEDICAL 1460/48-R-0003
CENTER

Address
3901 RAINBOW BLVD
1040 WESCOE PAVILION - MS 2014

City State Zip Phone No
KANSAS CITY KS 66160 913-588-1206

Complainant



How was complaint received?
email

Details of Complaint: Inadequate animal care

Results:

Application packet provided? Yes [ ] No [ ]

INSPECTOR

DATE

REVIEWED BY

DATE

**Building B, Mailstop 3W11  
Fort Collins, CO 80526-8117**

**Dr. Gibbens,**

**I am contacting you on a matter of the utmost importance, the health and well-being of animals at the University of Kansas Medical Center 48-R-0003.**

**I am aware of several recent inspections that your staff performed regarding this facility. Clearly this laboratory has major problems as illustrated by the citations relevant to primates 2A0; 99R1027, 0A0, and 3A0 describe incidents of severe negligence by University of Kansas staff which resulted in extreme suffering for the animals involved in experimentation at UK.**

**However, I believe that these other situations at this facility which are also indicative of severe negligence. Two primates 1924 and 1941 (records attached) died of dehydration on Monday, 3/31/08. This took place after the facility had had problems with water pressure over the weekend. Both of these primates were found moribund (at the point of death). While the lab did initiate therapy, these primates should not have reached this point of severe dehydration. In fact, primate 1924 went into seizures later that day, even after receiving fluid therapy. As you know, seizures are associated with severe cases of dehydration. Clearly, these animals had not had access to water for a significant period of time to reach a point of such severe dehydration. This is a horrible way to die, and this facility deserves severe punishment.**

**Additionally, primate 1925 died on 3/29/08. This monkey was found on 2/29 to be moribund, hypothermic, non-responsive. This monkey also had a seizure, which can be associated with severe dehydration. And this monkey was found dead two days before 1924 and 1941. I have to wonder if 1925 succumbed to the same fate as 1924 and 1941. The death of this animal should be investigated because it may also be related to dehydration. I believe that these deaths represent violations of the animal welfare act regarding failure to provide adequate water to primates as well as instances of inadequate observation and care.**

**Primate 3A5 is listed as having “increased agitation and stress from morphine withdrawal” on 8/4/2009. The afternoon observation of the same date states “Patient is agitated and vocalizing more. Appears to be more aggressive and keeps moving from perch to floor and back. . . . Patient is screeching very loudly when moving and grimacing a lot. Muscle tremors noted along with laying down in cage. . . . PM (8:00) – Severe muscle tremors noted to the point that animal could not control his right leg and started to bite it – no lacerations or punctures noted.”**

**On 8/5/2009 primate 3A5 is describes as ” . . . similar to last night, severe muscle tremors when moving, a little ataxia with grimacing and screeching. . . Noon – Patient is doing better, significant tremors still noted, but screeching has decreased, appetite and fluid consumption is good. Face is a little flushed as well as mildly swollen on the right side. Afternoon/evening – Patient is very aggressive. . . . Only about 20% of the Gatorade is gone from the am. Face is still flushed with possible hives.” On 8/6/2009 “PM observation – Patient is having increased muscle tremors of legs and arms, will try and bite at feet if a large tremor occurs. No puncture wounds or lacerations noted on feet or legs.” On 8/21/2009 3A5 is listed as “patient with vomit in cage yesterday afternoon and this am.”**

On 8/25/2009 the record states "Vomit all over cage and floor in front of cage. Food left in cage. . . . Right testicle is enlarged and left testicle is very small. Monkey is reserved today and will get up on perch only when approached." ON 8/26/2009 the record states "his testicles are swollen, enlarged and scrotum has purplish hue. His eyes are sunken, area around eyes are puffy and his pupils are dilated. He appears to be in pain from swollen scrotum. He will only move off of floor of cage with allot of stimulation. . . . PI is consulting . . . about options." On 8/27/2009 the record states "Monkey is very subdued and curled up on perch – will only move when stimulated a lot. Eyes are shrunken and dilated. Hair coat is spiked. Testicles are swollen, hard, and scrotum has purplish hue. Monkey did eat his biscuits, but it appeared that he vomited overnight." 3A5 was apparently killed that day because a necropsy was performed. The records do not contain information on when the euthanasia was performed, what drug was used, what dosage was given, etc. Also, this animal suffered for days, and should have been euthanized sooner, not dissimilarly to animal 3A0 previously mentioned above.

Primate 84Z is listed in records as being on treatment with antibiotics from 7/29/09 – the morning of 8/4/2009 at which time the antibiotics were discontinued due to potential complications when the primate is put into morphine withdrawal, apparently as part of the protocol. Why was the protocol not delayed until this animal had completed antibiotic therapy? Why is an animal that is clearly suffering from a bacterial infection then thrown into morphine withdrawal?

On 8/4/2009 primate 84Z is described as "Patient is screeching a lot, grimacing noted as well. Patient is laying down in the bottom of the cage and will only move when stimulated. Muscle tremors noted. Appetite is decreased – no biscuits eaten, but has eaten fruit. . . . Evening obs (8PM) – Patient is down in the bottom of the cage laying on his side. Will move when stimulated, but very reluctant. Screeching is excessive and grimacing noted when ever moving, mild muscle tremors noted. Appetite is still decreased, has eaten some of the fruit provided, but no biscuits. He has not touched the Gatorade."

On 8/5/2009 his record states "Am observations – patient is very reluctant to move on stimulation. Once he got up, he screeched once and then fell back over. Moderate muscle tremors noted. Appetite is severely decreased, a couple of biscuits eaten and some fruit. . . . PM observation-Patient is sitting up on the floor, but reluctant to move, even when squeeze was used. No screeching noted, but muscle tremors are present and significant.

On 8/6/2009 his record states: Am Observation – Patient is sitting up this am, but still reluctant to move. Face is very red, but screeching was not noted this am. Appetite is still decreased with only a small amount of fruit eaten, no biscuits. . . . Noon – Patient is down in cage and not responding to stimulation. Notify PI and continue supportive care. Afternoon – PI gave one does of morphine to try and off set withdrawal signs, no progress. Patient is down and only minimally responsive. . . . 10:00 PM – Patient is euthanized per PI protocol.

In contrast to the record of primate 3A5, 84Z did not receive any rimadyl for pain relief. I also believe that this animal should have been euthanized sooner. Regarding both monkey 84Z and 3A5 the facility failed to euthanize these animals in a timely fashion and allowed them to suffer unnecessarily. It is also clear that these animals suffered unrelieved pain, and if they were not reported this way on the annual report filed by the University of

Kansas Medical Center 48-r-0003, then this facility has violated requirements for reporting animals used in potentially painful experiments without anesthesia (column E). In fact, it appears that this lab may have violated these reporting requirements because experiments have been underway at this facility for several years which involve subjecting monkeys to withdrawal from addiction to morphine. Clearly, some of these animals have experienced unrelieved pain, However, this laboratory has not reported any monkeys in this category during 2006, 2007, or 2008.

Also, several monkeys at this have experienced fatal gastric bloat. These conditions have only been noticed when the animals are near death. They have included monkey A62, 94B and 99R1463. The records which I have obtained also discuss primate 21802. This monkey is also found moribund his record states: "Patient down, but minimally responsive. Very cold to touch. Evidence of hemorrhagic diarrhea round rectum. Pupils dilated and sluggish. . . . Temp started at approx 75.5 degrees F. . . . approximately 2 hours post treatment, patient had an episode of severe hemorrhagic diarrhea and went into respiratory arrest. Attempts to resuscitate failed." Clearly this monkey had been allowed to decline to an unacceptable level. The record states "history of mild diarrhea off and on for several months. Patient was on Pedialyte during the diarrheal events but no other treatment offered per PI protocol." Clearly this animal did not receive adequate treatment. Severe hemorrhagic diarrhea should be treated with much more than Pedialyte.

It is clear that the incidents which have been documented in the attached records which were obtained from the University of Kansas Medical Center through the state public records act. These documents clearly illustrate inadequate animal care which has allowed several animals to dies of dehydration, inadequate veterinary care which allowed several animals to suffer unnecessarily due to unreasonably delayed euthanasia, and a high incidence of death by gastric bloat which can be due to improper feeding of primates.

Also, it is clear that several of these primates have experienced unrelieved pain and distress and that University of Kansas Medical Center should be listing all primates used in experimentation that experience drug withdrawal in column E. It is apparent that this has not been the case, and that the lab has filed fraudulent reports.

Therefore, I officially request the treatment of the primates mentioned in this Official Complaint and take the most serious action allowable by the Animal Welfare Act against the University of Kansas Medical Center.

Sincerely,

(b)(6)



Sec. 2.33 Attending veterinarian and adequate veterinary care.

(b) Each research facility shall establish and maintain programs of adequate veterinary care that include:

(1) The availability of appropriate facilities, personnel, equipment, and services to comply with the provisions of this subchapter;










(2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care;

(3) Daily observation of all animals to assess their health and well-being;

### **Sec. 2.36 Annual report.**

**(7) State the common names and the numbers of animals upon which teaching, experiments, research, surgery, or tests were conducted involving accompanying pain or distress to the animals and for which the use of appropriate anesthetic, analgesic, or tranquilizing drugs would have adversely affected the procedures, results, or interpretation of the teaching, research, experiments, surgery, or tests. An explanation of the procedures producing pain or distress in these animals and the reasons such drugs were not used shall be attached to the annual report;**

        
clip\_image002.gif 3A5.pdf 84Z.pdf 1924.pdf 1941.pdf 1925.pdf 21802.pdf



## Primate Master Record

ID 3A5

DOB \_\_\_\_\_

Date	BW	Fecal Float	Fecal culture	TB (eye)	CBC	B-Virus	Chemistry	Comments
12-12-07	3.8 <sup>35</sup> kg		✓	✓ ✓	✓	✓	✓	
12-21-07				✓ R				
3-4-08	3.70 kg				✓			
6-24-08	4.15 kg				✓			
7-21-08	4.10 kg				✓			
7-28-08					✓			
8-04-08					✓			
8-11-08					✓			
8-18-08					✓			
9-16-08	4.25 kg				✓			
10-14-08	4.46 kg				✓			
11-10-08	4.40 kg				✓			
12-08-08	4.40 kg				✓			



You have added a record to the LAR Medical Records Database with the following information.  
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Record ID: 279073111  
Record Added: 8/27/2009

Procedure Date: 8/27/2009  
Primary Investigator: [REDACTED]  
Protocol #: 2009-1811  
Building/Room #: [REDACTED]  
Species: **Rhesus Macaque**  
Unique Animal ID: 3A5  
Number of Animals Operated: 0  
Animal Group ID:  
Surgeon:

Not FOIA Deletions

Surgical Procedures:

Non-Surgical Procedures:

**Rimadyl was administered for pain management per [REDACTED].**

Survival Procedure: **True**

Non-survival Procedure: **False**

Drugs/Doses Used:

**0.50ml Rimadyl SQ for pain management per [REDACTED].**

Post Procedure Care:

Adverse Events:

Suture Removal Date:

General Medical Data:

**Monkey is very subdued and curled up on perch-will only move when stimulated a lot. Eyes are sunken and dilated. Hair coat is spiked. Testicles are swollen, hard and scrotum has purplish hue. Monkey did eat his biscuits, but it appeared that he vomited overnight [REDACTED].**

[Update this information](#)

[Add another record](#)

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You have added a record to the LAR Medical Records Database with the following information. You may print [this page](#) to retain a copy of this record.

Record ID: **1966690926**  
Record Added: **8/27/2009**

Procedure Date: **8/26/2009**  
Primary Investigator: [REDACTED]  
Protocol #: **2009-1811**  
Building/Room #: [REDACTED]  
Species: **Rhesus Macaque**  
Unique Animal ID: **3A5**  
Number of Animals Operated: **0**  
Animal Group ID:  
Surgeon:

Not FOIA Deletions

Surgical Procedures:

Non-Surgical Procedures:  
**Rimadyl administered for pain management per [REDACTED]**

Survival Procedure: **True**  
Non-survival Procedure: **False**

Drugs/Doses Used:  
**0.50ml Rimadyl SQ per [REDACTED] for pain management. [REDACTED]**

Post Procedure Care:

Adverse Events:

Suture Removal Date:

General Medical Data:  
**Monkey is more subdued than on 8-25-09. His testicles are swollen, enlarged and scrotum has purplish hue. His eyes are sunken, area around eyes are puffy and his pupils are dilated. He appears to be in pain from swollen scrotum. He will only move off of floor of cage with a lot of stimulation. He ate fruit given to him and soft food. PI is consulting with [REDACTED] about options. [REDACTED]**

[Update this information](#)

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You have added a record to the LAR Medical Records Database with the following information.  
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Record ID: **-1035991743**  
Record Added: **8/27/2009**

Procedure Date: **8/25/2009**

Primary Investigator: [REDACTED]

Protocol #: **2009-1811**

Building/Room #: [REDACTED]

Species: **Rhesus Macaque**

Unique Animal ID: **3A5**

Number of Animals Operated: **0**

Animal Group ID:

Surgeon:

Not FOIA Deletions

Surgical Procedures:

Non-Surgical Procedures:

Survival Procedure: **False**

Non-survival Procedure: **False**

Drugs/Doses Used:

Post Procedure Care:

Adverse Events:

Suture Removal Date:

General Medical Data:

**Monkey checked in the pm, no vomiting. Ate most of food but still subdued.** [REDACTED]

[Update this information](#)

[Add another record](#)

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You have added a record to the LAR Medical Records Database with the following information.  
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Record ID: **1251385920**  
Record Added: **8/27/2009**

Procedure Date: **8/25/2009**

Primary Investigator: [REDACTED]

Not FOIA Deletions

Protocol #: **2009-1811**

Building/Room #: [REDACTED]

Species: **Rhesus Macaque**

Unique Animal ID: **3A5**

Number of Animals Operated: **0**

Animal Group ID:

Surgeon:

Surgical Procedures:

Non-Surgical Procedures:

Survival Procedure: **False**

Non-survival Procedure: **False**

Drugs/Doses Used:

Post Procedure Care:

Adverse Events:

Suture Removal Date:

General Medical Data:

**Vomit all over cage and floor in front of cage. Food left in cage. Feces was mostly normal consistency, but a few pebbles. Right testicle is enlarged and left testicle is very small. Monkey is reserved today and will get up on perch only when approached. Gatorade removed to see if this stops vomiting-he will be monitored very closely.**

[Update this information](#)

[Add another record](#)

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You have added a record to the LAR Medical Records Database with the following information.

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Record ID: **-246369833**  
Record Added: **8/17/2009**

Procedure Date: **8/7/2009**

Primary Investigator: [REDACTED]

Not FOIA Deletions

Protocol #: **2009-1811**

Building/Room #: [REDACTED]

Species: **Rhesus Macaque**

Unique Animal ID: **3A5**

Number of Animals Operated: **0**

Animal Group ID:

Surgeon:

Surgical Procedures:

Non-Surgical Procedures:

**Am observation-Patient is up on perch and vocalizing. Face is flushed this am. He will hide his face and rub legs and arms occasionally. Feces is normal, all food is gone in cage from yesterday and most of the gatorade is drank. PM observation-Tremors are decreased, appetite is very good. Did not drink orange gatorade. No other changes noted.**

Survival Procedure: **False**

Non-survival Procedure: **False**

Drugs/Doses Used:

Post Procedure Care:

**Continue gatorade supplementation and extra fruit with biscuits. Patient is improving daily.**

Adverse Events:

Suture Removal Date:

General Medical Data:

**Continued observation for morphine withdrawal. Patient has been improving.** [REDACTED]

[Update this information](#)

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You have added a record to the LAR Medical Records Database with the following information.

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Record ID: **-467008274**

Record Added: **8/17/2009**

Procedure Date: **8/6/2009**

Primary Investigator: [REDACTED]

Protocol #: **2009-1811**

Not FOIA Deletions

Building/Room #: [REDACTED]

Species: **Rhesus Macaque**

Unique Animal ID: **3A5**

Number of Animals Operated: **0**

Animal Group ID:

Surgeon:

Surgical Procedures:

Non-Surgical Procedures:

**AM observation-Patient is doing much better this am. Muscle tremors are decreased but still present. Appetite is increasing, most biscuits and fruit are gone from yesterday. Patient drank approx 1/3 of his gatorade from yesterday. Face is a little flushed, but that is also decreased. Noon obseravtion-Tremors seem a little worse, but no other changes noted. Appetite remains good-eating buscuits, canned food and fruit from this am. PM obseravation-Patient is having increased muscle tremors of legs and arms, will try and bite at feet if a large tremor occurs. No puncture wounds or lacerations noted on feet or legs. Patient has drank approx 20% of his gatorade from this am and appetite is unchanged.**

Survival Procedure: **False**

Non-survival Procedure: **False**

Drugs/Doses Used:

Post Procedure Care:

**Recommend continue supportive care-gatorade, fresh fruit, biscuits and canned food as needed. Patient is doing better.**

Adverse Events:

Suture Removal Date:

General Medical Data:

You have added a record to the LAR Medical Records Database with the following information.

You may [print this page](#) to retain a copy of this record.

Record ID: **1697418503**

Record Added: **8/6/2009**

Procedure Date: **8/5/2009**

Primary Investigator: [REDACTED]

Not FOIA Deletions

Protocol #: **2009-4814**

Building/Room #: [REDACTED]

Species: **Rhesus Macaque**

Unique Animal ID: **3A5**

Number of Animals Operated: **0**

Animal Group ID:

Surgeon:

Surgical Procedures:

Non-Surgical Procedures:

**Am-Patient appears similar to last night, severe muscle tremors when moving, a little ataxia with grimacing and screeching. Gatorade consumption is approx 80% of the bottle from yesterday. Noon-Patient is doing better, significant tremors still noted, but screeching has decreased, appetite and fluid consumption is good. Face is a little flushed as well as mildly swollen on the right side. Afternoon/evening-Patient is very aggressive. Approx 1/2 biscuits are gone as well as most of the canned food, fruit is mostly gone. Only about 20% of the gatorade is gone from the am. Face is still flushed with possible hives.**

Survival Procedure: **False**

Non-survival Procedure: **False**

Drugs/Doses Used:

Post Procedure Care:

**Recommend continue gatorade and supplement with canned food and soft biscuits. Continue obseravtions, though overall, he appears to be doing better.**

Adverse Events:

Suture Removal Date:

General Medical Data:



You have added a record to the LAR Medical Records Database with the following information.

You may [print this page](#) to retain a copy of this record.

Record ID: -1850606882

Record Added: 8/6/2009

Procedure Date: 8/4/2009

Primary Investigator: [REDACTED]

Protocol #: 2009-1815 [REDACTED]

Building/Room #: [REDACTED]

Species: Rhesus Macaque

Unique Animal ID: 3A5

Number of Animals Operated: 0

Animal Group ID:

Surgeon:

Not FOIA Deletions

Surgical Procedures:

Non-Surgical Procedures:

**AM observations-Patient is aggitated and vocalizing more. Appears to be more aggressive and keeps moving from perch to floor and back. Appetite appears to be normal. Afternoon-Patient is screeching very loudly when moving and grimacing a lot. Muscle tremors noted along with laying down in cage. Patient is exhibiting increased aggression. Appetite is good still-most biscuits are gone. PM (8:00)-Severe muscle tremors noted to the point that animal could not control his right leg and started to bite it-no lacerations or punctures noted. Appetite is good, most of the biscuits and fruit are gone as well as about 1/5 of the gatorade.**

Survival Procedure: False

Non-survival Procedure: False

Drugs/Doses Used:

Post Procedure Care:

**Recommend add gatorade to cage in the afternoon to all withdrawal animals. Continue observation.**

Adverse Events:

Suture Removal Date:

General Medical Data:

**Health observations for morphine withdrawal. [REDACTED]**



## Primate Master Record

ID 84ZDOB 2/1/05

Date	BW	Fecal Float	Fecal culture	TB (eye)	CBC	B-Virus	Chemistry	Comments
12-12-07	3.570 kg		✓	✓	✓	✓	✓	
12-21-07				✓				
3-11-08	3.460 kg				✓			
6-21-08	3.60 kg				✓			
7-21-08	3.70 kg				✓			
7-28-08					✓			
8-04-08					✓			
8-11-08					✓			
8-18-08					✓			
9-16-08	4.00 kg				✓			
10-11-08	3.35 kg				✓			
11-10-08	3.95 kg				✓			
12-8-08	4.25 kg				✓			

Necropsy Data Form

Prosector:

Date:	8/6/09	Vet/Investigator	Dr. [redacted]
Clinic Number		Clinic Name	Ab
Client Last Name		Animal Name/ID	842
Species	Rhesus	Breed	Rhesus
Age		Sex	Male
Weight	4.27		
Necropsy Release: Owner or clinic employee must sign the release at right and indicate necropsy type before the work can be done.	I, the undersigned, grant release for [redacted] to do a post-mortem examination on the above described animal as indicated to the right of this paragraph.  Signed: _____ <input type="checkbox"/> Owner or <input type="checkbox"/> Clinic Employee		<input type="checkbox"/> Complete post (not viewable)  <input type="checkbox"/> Cosmetic post (viewable)
Disposition of body	<input type="checkbox"/> Body to be returned to clinic. <input type="checkbox"/> Body to be incinerated by pathology service (we do not return ashes).		
Tissue Blocking Information			000
Organ/System	Normal??	Description of abnormalities	
Skin/External	Normal <input type="checkbox"/>	thin	
Body Orifices	Normal <input checked="" type="checkbox"/>		
Subcutaneous tissue	Normal <input type="checkbox"/>	dehydrated	
Abdomen	Normal <input type="checkbox"/>	inflammation	
Thorax	Normal <input checked="" type="checkbox"/>		
Mouth	Normal <input checked="" type="checkbox"/>		
Esophagus	Normal <input checked="" type="checkbox"/>		
Stomach	Normal <input type="checkbox"/>	inflamed	
Duodenum	Normal <input type="checkbox"/>	hyperemic	
Pancreas	Normal <input type="checkbox"/>	hyperemic	
Jejunum	Normal <input type="checkbox"/>	- - -	
Ileum	Normal <input type="checkbox"/>	- - -	
Colon	Normal <input type="checkbox"/>	- - -	
Mesenteric LN	Normal <input type="checkbox"/>	atrophied	
Liver	Normal <input checked="" type="checkbox"/>		
Spleen	Normal <input checked="" type="checkbox"/>		
Adrenal glands	Normal <input checked="" type="checkbox"/>		
Kidneys	Normal <input checked="" type="checkbox"/>		
Ureters	Normal <input checked="" type="checkbox"/>		
Urinary bladder	Normal <input checked="" type="checkbox"/>		
Urethra	Normal <input type="checkbox"/>		
Reproductive	Normal <input checked="" type="checkbox"/>		
Thyroids	Normal <input checked="" type="checkbox"/>		
Trachea	Normal <input checked="" type="checkbox"/>		
Lungs	Normal <input checked="" type="checkbox"/>		
Heart	Normal <input checked="" type="checkbox"/>		
Brain	Normal <input checked="" type="checkbox"/>		
Spinal cord	Normal <input type="checkbox"/>		
Joints	Normal <input type="checkbox"/>		
	Normal <input type="checkbox"/>		
	Normal <input type="checkbox"/>		
	Normal <input type="checkbox"/>		
	Normal <input type="checkbox"/>		
	Normal <input type="checkbox"/>		
Other Description			



You have added a record to the LAR Medical Records Database with the following information.

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Record ID: **644208997**

Record Added: **8/11/2009**

Procedure Date: **8/6/2009**

Primary Investigator: [REDACTED]

Not FOIA Deletions

Protocol #: **2009-1815**

Building/Room #: [REDACTED]

Species: **Rhesus Macaque**

Unique Animal ID: **84Z**

Number of Animals Operated: **0**

Animal Group ID:

Surgeon:

Surgical Procedures:

Non-Surgical Procedures:

**Am Observation-Patient is sitting up this am, but still reluctant to move. Face is still very red, but screeching was not noted this am. Appetite is still decreased with only a small amount of fruit eaten, no biscuits. Patient drank approx 40% of gatorade. Noon-Patient is down in the cage and not responding to stimulation. Notify PI and continue supportive care. Afternoon-PI gave one dose of morphine to try and off set withdrawal signs, no progress. Patient is down and only minimally responsive. Able to pull patient out by hand and supplement with fluids and warm blankets. 6:30pm-Patient is unchanged-recommend euthanasia. 10:00pm-Patient euthanized per PI protocol.**

Survival Procedure: **False**

Non-survival Procedure: **True**

Drugs/Doses Used:

**Morphine-PI records-approx 3pm. SQ fluids-120mls at approx 2pm-patient had drank well the night before-no fluids in the am. Warm blankets-wrap patient in warm blankets, repeat every 1-2 hours as needed.**

Post Procedure Care:

Adverse Events:

**Euthanasia recommend since patient is not responding to fluids and warming and appears to be getting worse. Compared to the other withdrawal monkeys, this individual is no recovering. Approx 10pm, all**

**staff and supplies organized and patient euthanized-see PI protocol.**

Suture Removal Date:

Not a FOIA Deletion

General Medical Data:

**Continued obserations and treatments for Morphine withdrawal.**

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You have added a record to the LAR Medical Records Database with the following information.

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Record ID: **732875339**

Record Added: **8/6/2009**

Procedure Date: **8/5/2009**

Primary Investigator: [REDACTED]

Not FOIA Deletions

Protocol #: **2009-1815**

Building/Room #: [REDACTED]

Species: **Rhesus Macaque**

Unique Animal ID: **84Z**

Number of Animals Operated: **0**

Animal Group ID:

Surgeon:

Surgical Procedures:

Non-Surgical Procedures:

**AM observations-patient is very reluctant to move on stimulation. Once he got up, he screeched once and then fell back over. Moderate muscle tremors noted. Appetite is severely decreased, a couple biscuits eaten and some fruit. Gatorade is only approx 20% gone from yesterday. Noon-observation-Patient is up and sitting on perch, hunched posture, red face, but responsive. Patient ate most all fruit, a small amount of canned diet. Seems to be improving. PM observation-Patient is sitting up on floor, but reluctant to move, even when squeeze back was used. Gatorade is approx 20% gone. No screeching noted, but muscle tremors are present and significant. Appetite still is decreased, but soft biscuits are spread throughout cage bottom indicating some usage.**

Survival Procedure: **False**

Non-survival Procedure: **False**

Drugs/Doses Used:

Post Procedure Care:

**SQ fluids, PM-was able to lightly squeeze patient and provide 100mls of SQ saline over hip area-a small amount of hemorrhage noted on completion. Once finished the patient moved to the back of cage and layed down. Recommend continued obseration and assessment for fluid supplementation based on gatorade consumption.**

Adverse Events:

Suture Removal Date:

Not a FOIA Deletion

General Medical Data:

**Continued health obseravtions after Morhine Withdrawal.**

[Update this information](#)

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You have added a record to the LAR Medical Records Database with the following information.

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Record ID: **-882365724**  
Record Added: **8/4/2009**

Procedure Date: **8/4/2009**  
Primary Investigator: [REDACTED]  
Protocol #: **2009-1815**  
Building/Room #: [REDACTED]  
Species: **Rhesus Macaque**  
Unique Animal ID: **84Z**  
Number of Animals Operated: **0**  
Animal Group ID:  
Surgeon:

Not FOIA Deletions

Surgical Procedures:

Non-Surgical Procedures:

**Am obs-Patient is active, but increased vocalization. Stool is formed but soft. Face and ears are erythematous. Appetite appears normal. Afternoon obs-Patient is screeching a lot, grimacing noted as well. Patient is laying down in the bottom of the cage and will only move when stimulated. Muscle tremors noted. Appetite is decreased-no biscuits eaten, but has eaten fruit. Gatorade added to cage. Evening obs (8pm)-Patient is down in teh bottom of the cage laying on his side. Will move when stimulated, but very reluctant. Screeching is excessive and grimacing noted when ever moving, mild muscle tremors noted. Appetite is still decreased, has eaten some of the fruit provided, but no biscuits. Has not touched the gatorade.**

Survival Procedure: **False**  
Non-survival Procedure: **False**

Drugs/Doses Used:

Post Procedure Care:

**Continue with gatorade and extra fruit. Continue observation, due to protocol restrictions, no other treatment as this time.**

Adverse Events:

Suture Removal Date:

General Medical Data:



Not a FOIA Deletion

**Health observations-morphine withdrawal started at noon on 8/3/09. [REDACTED]**

[Update this information](#)



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You have added a record to the LAR Medical Records Database with the following information.  
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Record ID: **-2017030321**  
Record Added: **8/4/2009**

Procedure Date: **8/4/2009**  
Primary Investigator:   
Protocol #: **2009-1815**  
Building/Room #:   
Species: **Rhesus Macaque**  
Unique Animal ID: **84Z**  
Number of Animals Operated: **0**  
Animal Group ID:  
Surgeon:

Not FOIA Deletions

Surgical Procedures:

Non-Surgical Procedures:

**Due to the increased stress of the morphine withdrawal, recommend d/c antibiotics. Potential for adverse affects from the antibiotics could worsen the clinical signs of withdrawal (GI upset, vomiting. Recommend recheck fecal and start antibtiotics again if needed post withdrawal.**

Survival Procedure: **False**  
Non-survival Procedure: **False**

Drugs/Doses Used:

Post Procedure Care:  
**Recommend continued observation.**

Adverse Events:

Suture Removal Date:

Not a FOIA Deletion

General Medical Data:  
**D/C metronidazol and LAP due to morphine withdrawal per PI protocol. **

[Update this information](#)

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You have added a record to the LAR Medical Records Database with the following information.

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Record ID: **689158828**  
Record Added: **5/13/2008**

Procedure Date: **3/31/2008**  
Primary Investigator: [REDACTED]  
Protocol #: **2004-1470**  
Building/Room #: [REDACTED]  
Species: **Squirrel Monkey**  
Unique Animal ID: **1924**  
Number of Animals Operated: **0**  
Animal Group ID:  
Surgeon:

Not FOIA Deletions

Surgical Procedures:

Non-Surgical Procedures:

**Patient moribund on exam. Hypothermia, tachypnea, tachycardia, 8-10% dehydration via skin tent noted. Blood glucose at 80. Initiated fluid therapy, and supportive care. 1:00pm-patient is actually worse with fluid therapy. Repeat blood glucose at 45. D/C fluid therapy. Continue rest of supportive care. 1:30pm-patient seized for approx. 1 minute. Elected euthanasia at this point.**

Survival Procedure: **False**  
Non-survival Procedure: **True**

Drugs/Doses Used:  
**LRS-20ml IP. 2ml Beuthanasia IV.**

Post Procedure Care:

Adverse Events:

**Necropsy-no urine in bladder, kidneys pale. Moderate amount of IP fluid left over. No other abnormalities.**

Suture Removal Date:

General Medical Data:

**Animal staff found 1924 and 1941 down in their cages this am. They are both on the same cage. The lights were working, but the staff found that the water pressure to the [REDACTED] floor was low. Weekend staff reported no**

**problems with water or lixits over the weekend.**

[Update this information](#)

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You have added a record to the LAR Medical Records Database with the following information.

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Record ID: 1489421111  
Record Added: 5/13/2008

Procedure Date: 3/31/2008

Primary Investigator: [REDACTED]

Not FOIA Deletions

Protocol #: 2004-1470

Building/Room #: [REDACTED]

Species: Squirrel Monkey

Unique Animal ID: 1941

Number of Animals Operated: 0

Animal Group ID:

Surgeon:

Surgical Procedures:

Non-Surgical Procedures:

**PE: Patient is 8-10% dehydrated and moribund on exam. Patient was responsive to stimulus, but would lay still when not being examined. Tachycardia and tachypnea noted. Hypothermia along with tachy mucous membranes. Blood glucose is at 101. IV access was not attained, 25ml LRS given IP over 3 hours. Patient kept warm with heated water bottles and warm towels. 1:00pm-patient's skin tent is better, approx. 3-5% dehydrated. No urine production. Oral supplementation of pedilyte started. 3:00pm-Patient has become comatose-non-responsive. Patient euthanized with 2ml Beuthanasia D IV.**

Survival Procedure: False

Non-survival Procedure: True

Drugs/Doses Used:

**LRS IP-approx 25 mls. 2ml Beuthanasia D.**

Post Procedure Care:

Adverse Events:

**Necropsy-kidneys were pale, no urine in bladder. Part of the IP fluids had not been absorbed even after 6 hours. Suspect acute renal failure due to dehydration.**

Suture Removal Date:

General Medical Data:

**Animal husbandry staff found 1941 and 1924 down in cage this am. Both were on the same rack. The water fixtures were working, but staff found that the water pressure to the floor was low. Weekend staff did not note any problems with the water.**

Not a FOIA Deletion

[Update this information](#)

[Add another record](#)

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# Microchip ID 447B207B44 Primate Master Record

ID 1925

DOB 2/19/01

*female*

Date	BW	Fecal Float	Fecal culture	TB (eye)	CBC	B-Virus	Chemistry	Comments
<del>8/28/02</del> 5/6/03				(L) ✓ (-)		NA	✓	
8/4/02		Hypercilia Girodha Mataca ✓						
9/2/02			NEB ✓ (-)	(R) ✓ (-)	✓ -			
4-14-03	0.605 kg	✓ (-)		✓ Right			✓	TB serum-416X Exp- 1-26-04
6-31-03	0.630 kg			✓ R				TB serum 417.4 Exp- 7-14-04
5-22-04	0.670 kg			✓ R				
7-26-05	0.615 kg			✓	✓			
8-28-06	0.645 kg			✓ R			✓	
3-29-08	Passive euthanized							

Not a FOIA Deletion



You have added a record to the LAR Medical Records Database with the following information.

You may [print this page](#) to retain a copy of this record.

Record ID: -1936877618  
Record Added: 5/13/2008

Procedure Date: 3/29/2008

Primary Investigator: [REDACTED]

Protocol #: 2004-1470

Building/Room #: [REDACTED]

Species: **Squirrel Monkey**

Unique Animal ID: 1925

Number of Animals Operated: 0

Animal Group ID:

Surgeon:

Not FOIA Deletions

Surgical Procedures:

Non-Surgical Procedures:

**PE: Patient moribund on exam, BG at 25. Hypothermic, reflexes are decreased or non-responsive. Pupils are dilated, but sluggish. Tachycardia and tachypnea noted. Oral and IV dextrose started along with IP fluids. Patient wrapped in warm towels and warm water bottles. 10am-patient still moribund, repeat BG showed 80. 10:30am-patient had a seizure that lasted approximately 30 seconds. With no response to blood glucose in normal range, patient euthanized with 2ml Beuthanasia IV.**

Survival Procedure: **False**

Non-survival Procedure: **True**

Drugs/Doses Used:

**1% Dextrose IV, LRS IP, 2ml Beuthanasia D IV**

Post Procedure Care:

Adverse Events:

Suture Removal Date:

General Medical Data:

**Weekend staff found patient down in cage this am.**

[Update this information](#)

[Add another record](#)

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You have added a record to the LAR Medical Records Database with the following information.

You may [print this page](#) to retain a copy of this record.

Record ID: -1048511840  
Record Added: 1/17/2008

Procedure Date: 10/15/2007  
Primary Investigator: [REDACTED]  
Protocol #: 2004-1430  
Building/Room #: [REDACTED]  
Species: Rhesus Macaque  
Unique Animal ID: 21802  
Number of Animals Operated: 0  
Animal Group ID:  
Surgeon:

Not FOIA Deletions

Surgical Procedures:

Non-Surgical Procedures:

**Exam-Patient down, but minimally responsive. Very cold to the touch. Evidence of hemorrhagic diarrhea around rectum. Pupils were dilated and sluggish. Heart had normal sounds, but erratic rhythm. Lungs mild les noted dorsally (dependent edema possibly). IV catheter set in and warm saline given. Temp started at approx. 75.5 degrees F. See attached readout from monitoring equipment. Bld glucose was normal at 88. Continued warming of patient and fluids, but approximately 2 hours post treatment, patient had an episode of severe hemorrhagic diarrhea and went into respiratory arrest. Attempts to resuscitate failed (atropine, oxygen, epinephrine, CPR).**

Survival Procedure: **False**  
Non-survival Procedure: **False**

Drugs/Doses Used:

Post Procedure Care:

Adverse Events:

Suture Removal Date:

General Medical Data:

**Patient found down in cage in the afternoon check. History of mild diarrhea off and on for several months. Patient was on Pedilyte during the diarrheal**

**events, but no other treatment offered per PI protocol.**

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