

UNIVERSITY of  
**HOUSTON**

Division of Research

August 19, 2014

Dr. Robert M. Gibbens, DVM  
Director, Western Region, Animal Care  
United States Department of Agriculture  
Animal and Plant Health Inspection Service  
2150 Centre Avenue  
Building B, 3W11  
Fort Collins, CO, 80526  
970-494-7478

RE: License 74-R-0020: Official Warning, Violation of Federal Regulations (APHIS Form 7060)

Dear Dr. Gibbens,

I received your letter dated August 5, 2014, informing me that a serious warning has been issued to the University of Houston for alleged violations of the Federal Animal Welfare Act.

This letter cited the following findings, and indicated that this and all past and future documented violations may be used to justify a more severe penalty of up to \$10,000 per violation:

- 3.80(a)(2)(ii) Primary Enclosures... failure to design and construct the primary enclosures with suitable materials so they are structurally sound for the species contained and protect the non-human primates from harm
- 3.38 Watering... failure to provide potable water in sufficient quantity to every nonhuman primate housed at the facility

I, our investigators, and our animal care and use team take your concerns and warning letter very seriously.

In 2014 the University of Houston received citations for two accidental occurrences in our nonhuman primate facility that resulted in the deaths of two rhesus macaques. The UH animal care and use program prides itself on providing our research animals with safe, high quality housing as well as the highest level of care by experienced veterinarians. These events have come as a significant loss to our program.

In both cases, approved research protocols were adhered to, the incidents were thoroughly investigated by the UH IACUC, and were reported per federal and accreditation requirements. Immediate short-term as well as long-term corrective actions were put in place to ensure that such incidents are prevented in the future; these corrective actions are routinely monitored by the IACUC for compliance.

**HOUSTON'S CARNEGIE DESIGNATED TIER ONE PUBLIC RESEARCH UNIVERSITY**

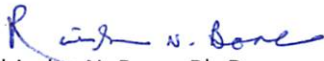
316 E. Cullen Building • Suite 316 • Houston, TX 77204-2015  
Office: 713.743.9104 • [research@uh.edu](mailto:research@uh.edu) • [www.research.uh.edu](http://www.research.uh.edu)

I have included a copy of the letter recently sent by Dr. Barton Weick at the HHS Office of Laboratory Animal Welfare (OLAW) in response to our final report regarding the incident referred to in your letter. Within the attached document, OLAW indicates their satisfaction that the IACUC took appropriate action to investigate this occurrence and that the actions taken to prevent recurrence are appropriate.

I would like to take this opportunity to personally invite you and/or your delegates to the University of Houston campus to re-inspect our animal facility as a follow-up to the warning letter we received. I am confident that you will find a safe and healthy environment for all research animals housed at the University. I will actively participate in the entrance/exit interviews associated with this visit to discuss any guidance provided by USDA to improve the program.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Rathindra N. Bose, Ph.D.

Vice Chancellor/Vice President for Research and Technology Transfer

University of Houston

[rnbose@uh.edu](mailto:rnbose@uh.edu)

Cc: Dr. Laura Frishman, Chair, UH IACUC  
Dr. David Brammer, Executive Director, Animal Care Operations  
Ms. Kirstin M. Rochford, Director, UH Office of Research Policies, Compliance, and Committees  
UH IACUC files

**HOUSTON'S CARNEGIE DESIGNATED TIER ONE PUBLIC RESEARCH UNIVERSITY**

316 E. Cullen Building • Suite 316 • Houston, TX 77204-2015  
Office: 713.743.9104 • [research@uh.edu](mailto:research@uh.edu) • [www.research.uh.edu](http://www.research.uh.edu)



DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE  
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:  
Office of Laboratory Animal Welfare  
Rockledge One, Suite 360  
6705 Rockledge Drive - MSC 7982  
Bethesda, Maryland 20892-7982  
Home Page: <http://grants.nih.gov/grants/olaw/olaw.htm>

FOR EXPRESS MAIL:  
Office of Laboratory Animal Welfare  
Rockledge One, Suite 360  
6705 Rockledge Drive  
Bethesda, Maryland 20817  
Telephone: (301) 496-7163  
Facsimile: (301) 402-7065

August 18, 2014

Re: Animal Welfare Assurance  
A3136-01 [OLAW Case O]

Dr. Rathindra N. Bose  
Vice Chancellor/Vice President for Research  
University of Houston  
316 E. Cullen Building, 4800 Calhoun  
Houston, TX 77204-2015

Dear Dr. Bose,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your July 30, 2014 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals (PHS Policy) at the University of Houston. According to the information provided, OLAW understands that a rhesus monkey died from dehydration when a drinking valve hose became disconnected to a part of a social housing cage where apparently three monkeys had accidentally locked themselves in by closing a cage divider. The other two rhesus monkeys were dehydrated when the dead monkey was found but recovered without other consequences. This activity was PHS funded.

The IACUC-approved corrective actions consisted of checking the operation of all remaining drinking valves, retraining animal care staff on the techniques for assuring drinking valve function, ensuring that procedures were put in place to check water valves and connections daily, locking the cage dividers open to prevent accidental closing, limiting the social group size to three or four monkeys, increasing environmental enrichment opportunities with additional operant training sessions, replacing "quick connects" with permanent supply lines, adding the checking of water valves to the daily husbandry checklist and documenting when the cage divider is removed after anesthetic recovery. The monkey holding room was reconfigured to prevent monkeys from pulling the water hoses into the cage. Research staff has continued to monitor the water valve function in the room. Compliance with monkey room procedures will be reviewed quarterly by the IACUC.

The actions of the Institute's IACUC were in keeping with the philosophy of self-regulation. OLAW is satisfied that appropriate actions have been taken to investigate these incidents and the additional actions taken to prevent recurrence are appropriate. We appreciate being informed of this matter and find no cause for further action by this Office.

Sincerely,

Barton Weick, MS, DVM, PhD, DACLAM  
Animal Welfare Program Specialist  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare

cc: Laura Fishman, IACUC Chair  
Kristin Rochford, Director, UH Office of Research Policies, Compliance, and Committees