DEPARTMENT OF HEALTH & HUMAN SERVICES

PUBLIC HEALTH SERVICE
NATIONAL INSTITUTES OF HEALTH

FOR US POSTAL SERVICE DELIVERY:
Office of Laboratory Animal Welfare
6700B Rockledge Drive, Suite 2500, MSC 6910
Bethesda, Maryland 20892-6910
Home Page: http://grants.nih.gov/grants/olaw/olaw.htm

FOR EXPRESS MAIL:
Office of Laboratory Animal Welfare
6700B Rockledge Drive, Suite 2500
Bethesda, Maryland 20817
Telephone: (301) 496-7163
Facsimile: (301) 480-3387

February 8, 2021

Re: Animal Welfare Assurance
A4051-01 [OLAW Case Y]

Dr. Wayne E. Cascio
Deputy Director, National Health and
Environment Effects Research Laboratory
U.S. Environmental Protection Agency
EPA-MD-B305-01, 109 T.W. Alexander Drive
Research Triangle Park, NC 27709

Dear Dr. Cascio,

The Office of Laboratory Animal Welfare (OLAW) acknowledges receipt of your January 29, 2021 letter reporting an instance of noncompliance with the PHS Policy on Humane Care and Use of Laboratory Animals at the United States Environmental Protection Agency. Your letter supplemented the information contained in the prompt preliminary telephone report on January 26, 2021. According to the information provided, OLAW understands that on January 27 the Attending Veterinarian (AV) confirmed that a particular air pollution particulate matter (PM) being dosed to mice was not on the IACUC-approved protocol. The investigators were notified that all work with this PM must cease.

The PI has been informed that if they wish to continue the work, an amendment to the approved protocol needs to be submitted for review by the IACUC. The amendment must address the animal welfare issues raised by the unexpected adverse event. The AV must be notified 2 weeks in advance of any future research with this PM so she may schedule observation of the research animals. The PI has also been reminded that the research already performed with this PM may not be published as IACUC approved research.

OLAW believes that the corrective and preventative measures put in place by the United States Environmental Protection Agency are consistent with the provisions of the PHS Policy on Humane Care and Use of Laboratory Animals. We appreciate being informed of this incident and find no cause for further action by this office.

Sincerely,

Brent C. Morse -S Digitally signed by Brent C. Morse -S
Date: 2021.02.08 09:28:00 -05'00'

Brent C. Morse, DVM
Director
Division of Compliance Oversight
Office of Laboratory Animal Welfare

cc: IACUC contact

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CENTER FOR PUBLIC HEALTH AND ENVIRONMENTAL ASSESSMENT
Research Triangle Park, NC 27711

OFFICE OF
RESEARCH AND DEVELOPMENT

January 29, 2021

Brent C. Morse, DVM, DACLAM
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health

Dear Dr. Morse;

The purpose of this letter is to report protocol noncompliance at the US EPA Research Triangle Park research program (Assurance # D16-00569, A4051-01) and to report on the measures being taken by the program to resolve the noncompliance. A preliminary report of this event was originally submitted by telephone to OLAW by our Attending Veterinarian on Wednesday, January 27, 2021.

On Tuesday, January 19, 2021, the Attending Veterinarian was called in to consult on an unexpected adverse event. Mice had been dosed with air pollution particulate matter (PM) following long standing procedures in an IACUC approved protocol. The mice unexpectedly displayed severe respiratory problems. These mice were euthanized. After consultation, the investigators dropped the dose concentration to 1/5 that of the original dose and reduced exposure time for the next cohort. The new dosing and time points were used on Thursday, January 21, 2021. The AV observed the animals during procedures. On Wednesday, January 27 the AV began writing a post approval monitoring review of the observation inclusive of reviewing the IACUC approved protocol. During the protocol review the AV identified that the particular PM being dosed was not on the IACUC approved protocol. The AV notified the investigators of the irregularity.

The Principle Investigator (PI) reviewed the approved protocol and promptly sent a self-report of noncompliance to members of the IACUC. The self-report included an explanation and a plan for correction.

The IACUC met on January 27 for preliminary review of the situation, including the self-report. The IACUC Chair recused himself from discussion. The IACUC agreed this was protocol noncompliance and that OLAW needed to be notified. While there was a quorum of IACUC members present for discussion, that quorum wanted the input of 2 additional IACUC members. A special meeting was called for January 28, 2021. The AV delivered a preliminary notification to OLAW and notified the investigators that all work with this PM must cease.

The IACUC met on January 28, 2021, to discuss the noncompliance. The IACUC accepted the

PI's self-report. The PI has been informed that if they wish to continue the work, an amendment to the approved protocol needs to be submitted for review by the IACUC. The amendment must address the animal welfare issues raised by the unexpected adverse event. The AV must be notified 2 weeks in advance of any future research with this PM so she may schedule observation of the research animals. The PI has also been reminded that the research already performed with this PM may not be published as IACUC approved research.

We hope these measures satisfactorily address the issues. Please contact Jaimie Graff (919-541-0690, Graff.jaimie@epa.gov), Animal Resources Program Office and a member of the IACUC, if you have further questions.

Sincerely,

Wayne E. Cascio, M.D.
Director, CPHEA
Institutional Official

Jaimie Graff
Animal Resources Program Office
IACUC Member

Wolff, Axel (NIH/OD) [E]

From: OLAW Division of Compliance Oversight (NIH/OD)
Sent: Wednesday, February 3, 2021 7:34 AM
To: Graff, Jaimie
Cc: OLAW Division of Compliance Oversight (NIH/OD)
Subject: RE: Report of protocol noncompliance Assurance # D16-00569

Thank you. We will send a response soon.

Axel Wolff, M.S., D.V.M.
Deputy Director, OLAW

From: Graff, Jaimie <Graff.Jaimie@epa.gov>
Sent: Monday, February 1, 2021 10:06 AM
To: OLAW Division of Compliance Oversight (NIH/OD) <olawdco@od.nih.gov>
Cc: Adams, DanielD <Adams.DanielD@epa.gov>; dave.brumbaugh <dave.brumbaugh@alumni.duke.edu>; Graff, Jaimie <Graff.Jaimie@epa.gov>; Hedge, Joan <Hedge.Joan@epa.gov>; Hill, Donna <Hill.Donna@epa.gov>; Hoopes, Maria <Hoopes.Maria@epa.gov>; Jarrell, Leslie <Jarrell.Leslie@epa.gov>; Kodavanti, Prasada Rao <Kodavanti.Prasada@epa.gov>; Mugford, Christopher <mugford.christopher@epa.gov>; Cascio, Wayne <Cascio.Wayne@epa.gov>
Subject: Report of protocol noncompliance Assurance # D16-00569

Good morning;
Attached please find a report of protocol noncompliance.
Please call or email me if you have any questions.
Thank you;
Jaimie

Jaimie Graff, MA, CPIA | Director, Animal Resources Program Office | US EPA/ORM/RSCD/FRCB | Phone: 919-541-0690 | Cell: 984-484-0332

A4051-Y

Office of Laboratory Animal Welfare

OLAW

Initial Report of Noncompliance

By: BCM

Date: **1/26/2021** Time: 4:10

Name of Person reporting: Leslie Jarrell, AV
Telephone #: 919-704-0532
Fax #:
Email:

Name of Institution: ___US EPA RTP_____
Assurance number: __A4051_____

Did incident involve PHS funded activity? __No____
Funding component: _____
Was funding component contacted (if necessary): _____

What happened?

Researchers added specific toxic smoke to experiment. Not approved on protocol.

Species involved: Mus musculis
Personnel involved: Researcher
Dates and times: 1/19/2021
Animal deaths: no

Projected plan and schedule for correction/prevention (if known): _____

Counseled PI. Protocol amended to add particulate.

Projected submission to OLAW of final report from Institutional Official:

< 60 days

OFFICE USE ONLY
Case #_____