

The attached table juxtaposes quotes from the federal government's April 2004 "Report on Investigation of Allegations of Noncompliance With the Public Health Service Policy on Humane Care and Use of Laboratory Animals at the University of North Carolina at Chapel Hill" with those of its October 2005 report on the same issue: UNC's continued noncompliance with federal guidelines for the care and use of animals. The table illustrates the absurdly repetitious nature of the violations that were documented in UNC's animal labs during two separate PETA undercover investigations. It also shows UNC's supposed corrective actions, which have inexplicably managed to satisfy the Office of Laboratory Animal Welfare (OLAW). Clearly, had UNC truly implemented the corrective actions it claims to have adopted in OLAW's 2004 report, identical violations would not have been documented by PETA during its second investigation!

A number of the so-called "corrective actions" are nothing more than regurgitations of ineffective policies that have been in place at UNC all along. For example, in its 2005 report, OLAW cited the following deficiency: "Institutional oversight of policies governing the care and use of animals was inadequate, including ... inadequate tracking of numbers of animals on protocols; animals switched between protocols without IACUC [Institutional Animal Care and Use Committee] approval ... and failures to ascertain whether resources and space were adequate prior to allowing a protocol to proceed."

The corrective action for these deficiencies, which PETA documented during both its 2001-2002 investigation *and* its 2003 investigation, states, "Weekly cage inventories are contributing to improved quality control of animal and cage tracking, colony management, and billing practices." Yet for years, weekly cage inventories have been conducted at UNC using electronic scanners, and there have still been no quality control or good management practices.

Many of the "corrective actions" claimed in the reports are not corrective measures at all, but rather they are the inherent responsibilities—which UNC has failed to oversee—of the animal care staff. For example, a corrective action cited in OLAW's 2005 report for UNC's inadequate institutional oversight states, "The IACUC and DLAM [Division of Laboratory Animal Medicine] are responsible for seeing that animals are used according to the protocol and are provided appropriate daily care." This statement does not describe a "corrective action," when, in fact, it is the very nature of their jobs.

OLAW's apathy regarding animal welfare is evident in its response to UNC's chronically overcrowded cage conditions. In its 2005 report, OLAW suggests that "the UNC rodent separation policy ... is now strictly enforced and is reported to be working successfully." Given that UNC previously lied to OLAW by insisting that "corrective actions" had been taken to prevent further overcrowding and that PETA was documenting the contrary on videotape during its second investigation, it is abominable that OLAW would take at face value *anything* "reported" by UNC.

If the NIH places any merit whatsoever on animal welfare, federal tax spending, or quality research, it will immediately strip UNC of its approval to use animals in federally funded experiments and close down OLAW. OLAW is not respected by federally funded research facilities, and it wastes precious resources on high salaries and long, drawn-out investigations after which no disciplinary action is taken.

INTRODUCTION		
	2004 OLAW Report	2005 OLAW Report
Violation	OLAW ... determined that there were instances of noncompliance with the PHS Policy and deviations from the Guide for the Care and Use of Laboratory Animals (Guide).	OLAW determined that conditions existed at UNC that were not in compliance with the Policy and the Guide.
Violation	OLAW points out that it considered [specific examples of noncompliance] as program-related shortcomings and directed its efforts at ensuring that institutional measures were implemented to correct them and prevent recurrence.	[I]t was evident that [specific examples of noncompliance] were symptoms of broader, programmatic problems that required resolution in order for the institution to achieve compliance.
PROGRAM OF VETERINARY CARE		
	2004 OLAW Report	2005 OLAW Report
Violation	These deficiencies included instances of failure to ... implement timely [veterinary] treatment.	The provision of adequate veterinary care was hampered by lack of senior veterinary leadership, unclear delegations of authority, inadequate communication, and disparate record systems. This situation led to missed treatments and delays in implementation of euthanasia.
Alleged Corrective Action	OLAW acknowledged that ... the investigator is called [when an animal is sick], and if s/he does not respond in a timely manner, the veterinarian implements the appropriate treatment or euthanasia	To prevent delay in the provision of treatments, veterinarians have authority to determine when treatment or euthanasia needs to be initiated and when an investigator is contacted.
Alleged Corrective Action	OLAW determined that the UNC-CH Institutional Veterinarian (IV) is charged with and has authority to implement defined policies and procedures.	A permanent senior institute veterinarian [has] been hired and provided with clear authority
Alleged Corrective Action	Although investigators may decline treatment for their animals, the animals will be euthanized if this results in discomfort, pain, or distress	UNC stated that at no time would it be acceptable to prolong pain and distress if immediate euthanasia is required.
Violation	It was determined that ... there were deviations from the rodent tumor policy	OLAW determined that ... there were incidents of tumor policy violations.
Alleged Corrective Action	[T]he UNC-CH revised its [tumor] policy to state that: animals may bear one or two tumors, the maximum diameters of which are defined and may not be exceeded; and animals will be humanely killed should tumors reach the maximum allowable size, or show signs of necrosis, or become ulcerated	UNC instituted numerous program changes
Violation	UNC-CH confirmed OLAW's concern that a variety of contradictory instructions were given to husbandry technicians concerning the identification of sick or injured animals	Training of investigators, supervisors, and animal care/technical staff on specific topics was judged inadequate as evidenced by poor understanding of policies, procedures, and responsibilities.

Alleged Corrective Action	OLAW acknowledged the assertion that UNC-CH believed its staff members are no longer receiving contradictory instructions or confused about DLAM procedures.	UNC instituted numerous program changes
HUSBANDRY AND TECHNICAL CARE		
	2004 OLAW Report	2005 OLAW Report
Violation	OLAW acknowledged that UNC-CH considered the condition of animals described in the complainant's log ... was unacceptable and attributed the situation which allowed it to happen to a period of inadequate staffing in the Thurston-Bowles facility.	The number of animal caretaker, technical, and supervisory personnel positions appeared to be ... inadequate
Alleged Corrective Action	This Office also acknowledged that the UNC-CH corrective plan was implemented and involved ... hiring two animal husbandry technicians as floaters to be assigned to facilities to substitute for absentees and temporarily fill vacant positions.	Additional husbandry staff is hired, trained and/or reassigned as needed
Violation	Deficiencies in institutional training contributed significantly to many of the problems identified in the UNC-CH program of animal care and use	OLAW found instances of inadequacies in husbandry and supervisory staff training, communication among staff and supervisors, and in the sharing of information with staff.
Alleged Corrective Action	This Office also recognized that a new supervisor was recruited and that prior to placing him in the job, he was given the same training as required for all new DLAM employees as well as specific training on how to enforce institutional policies and procedures ... in addition to being given an extensive briefing regarding previously identified problems in the facility.	UNC implemented extensive supervisory and management training
Violation	The UNC-CH ACUC confirmed the allegation that there were instances when husbandry technicians failed to kill animals in a timely manner when requested by investigators.	Euthanasia was not consistently performed in a timely manner.
Violation	UNC-CH affirm[ed] that feed containers or water bottles may become empty ... between scheduled feeding and watering times The UNC-CH ACUC confirmed the allegation that cage cleaning ... occurred at less frequent intervals, in violation of DLAM policy.	Inadequacies in feeding, watering, cleaning, and documentation were identified
Violation	The UNC-CH confirmed the allegation that there was high mortality among weanling rats	Rodents were sometimes weaned prematurely resulting in animal deaths.
REPORTING TO OLAW		
	2004 OLAW Report	2005 OLAW Report

Violation	OLAW concluded that there were instances of noncompliance ... includ[ing] failures to ... report serous deviations from provisions of the Guide	Reports of noncompliance were not always provided to OLAW in a prompt fashion.
OVERSIGHT OF INSTITUTIONAL ANIMAL CARE AND USE POLICIES		
	2004 OLAW Report	2005 OLAW Report
Violation	[D]eficiencies included instances of failure to obtain Animal Care and Use Committee approval prior to implementing significant, unauthorized change in an ongoing approved study; report unauthorized animal work	Institutional oversight of policies governing the care and use of animals was inadequate, including: performing of research animal activities on expired protocols
Violation	Overcrowding of rodents had been identified by the ACUC in its semiannual reports as an ongoing problem in the Thurston-Bowles and other animal facilities of UNC-CH over a period of time, and the university reported that obtaining compliance with established policy regarding overcrowding was a serious problem.	Institutional oversight of policies governing the care and use of animals was inadequate, including ... a rodent separation policy that was poorly understood by staff and haphazardly implemented, frequently resulting in overcrowding
Alleged Corrective Action	This Office acknowledged the corrective action plan [for eliminating overcrowding] included education of investigators and their staffs, frequent monitoring by DLAM staff, and the ACUC's adoption of a series of possible sanctions	Staff was trained regarding the UNC rodent separation policy.
Violation	OLAW determined that a blanket approval for toe clipping was in effect to identify rodents 10 days old or younger.	Institutional oversight of policies governing the care and use of animals was inadequate, including ... routine use of rodent toe clipping for identification purposes without scientific justification
Alleged Corrective Action	At the request of this Office, the UNC-CH ACUC rescinded its blanket approval of [toe clipping to identify rodents 10 days old or younger] which is now allowed only when scientifically justified	The UNC IACUC rescinded its blanket approval of [toe clipping for identification] and currently only allows toe clipping when scientifically justified
Violation	Carrying animals [between buildings] literally "in hand" is not an accepted institutional practice	Institutional oversight of policies governing the care and use of animals was inadequate, including ... inadequately managed animal transfer procedures
Alleged Corrective Action	Regarding intra-institutional animal transportation, it was determined that ... the UNC-CH Animal Transfer Specialist (ATS) is responsible for coordinating those activities.	A full-time DLAM technician has been assigned to oversee the movement of animals between buildings and onto campus from outside sources
Violation	[Violation implied in alleged corrective action which, if implemented, would have prevented recurring violation.]	Institutional oversight of policies governing the care and use of animals was inadequate, including ... inadequate tracking of numbers of animals on protocols

Alleged Corrective Action	OLAW recommended that all investigators be notified when they are reaching the approved maximum number of animals (on their protocols) to help them avoid inadvertently overshooting the mark	UNC instituted numerous program changes
CONCLUSION		
	2004 OLAW Report	2005 OLAW Report
Unacceptable	OLAW acknowledged the actions taken by the UNC-CH ... [and] considers this case to have come to closure.	OLAW is satisfied that the UNC has responded adequately to concerns identified regarding its animal care and use program, and considers its investigation to have come to closure.