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# Authority to establish housing requirements

From his first lecture at Great Eastern University, Dr. Sam Roth quickly became a favorite teacher and student advisor. Now, as a full professor and director of the herpetology teaching laboratory, he was beloved by the entire university community—except for the IACUC. Roth, who was past the age when most people have retired, had no grant funding and minimal financial support from the university. To compensate, he placed as many animals as he could into the least amount of space that he felt was appropriate for the species being kept. In the opinion of the school's veterinarians, however, Roth's animals seemed to have more health problems compared with reptiles and amphibians in laboratories at other universities. They believed the problems were largely caused by overcrowding.

For a while, Roth was able to sidestep the IACUC's request to provide more space for his animals by citing his own experience as a herpetologist and noting that the *Guide for the Care and Use of Laboratory Animals* (the *Guide*)<sup>1</sup> had no space recommendations for the species he used for teaching and that

the Animal Welfare Act regulations<sup>2</sup> were not applicable to his animals. But now, with a new version of the *Guide*<sup>3</sup> that put more emphasis on performance standards, and with the Association for Assessment and Accreditation of Laboratory Animal Care International suggesting that current European space recommendations for reptiles and amphibians could be helpful guides for American IACUCs<sup>4,5</sup>, the Great Eastern IACUC became emboldened and demanded that Roth follow the European requirements for housing space when such requirements existed for species at Great Eastern. Roth countered that the IACUC was a federally mandated committee that was required to operate under US regulations and it had no authority to impose European requirements on Great Eastern University. He also challenged the veterinarians to provide documentation that the space he provided for his animals was contributing to health problems and to prove that the animals had any more problems than were seen in other schools. The veterinarians were understandably

reluctant to drag other academic institutions and colleagues into a local dispute.

Under existing federal regulations and policies, does the Great Eastern IACUC or the Attending Veterinarian have the authority to establish minimum space standards for Roth's animals? How would you resolve this problem?

1. Institute of Laboratory Animal Resources. *Guide for the Care and Use of Laboratory Animals* 7th edn. (National Academies Press, Washington, DC, 1996).
2. Code of Federal Regulations. Title 9, Chapter 1, Subchapter A.
3. Institute for Laboratory Animal Research. *Guide for the Care and Use of Laboratory Animals* 8th edn. (National Academies Press, Washington, DC, 2010).
4. Association for Assessment and Accreditation of Laboratory Animal Care International. *Frequently Asked Questions* (Association for Assessment and Accreditation of Laboratory Animal Care International, 2011) [online] <[http://www.aaalac.org/accreditation/faq\\_landing.cfm#STANDARD1](http://www.aaalac.org/accreditation/faq_landing.cfm#STANDARD1)>
5. Directive 2010/63/EU of the European Parliament and of the Council. *Official J. European Union* L276, 33–79 (2010). <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:276:0033:0079:EN:PDF>>

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## RESPONSE

### IACUC recommends, IO approves

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The *US Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training* state, “normally, the housing, feeding, and care of all animals used for biomedical purposes must be directed by a veterinarian or other scientist trained and experienced in the proper care, handling, and use of the species being maintained or studied”<sup>1</sup>. The Attending Veterinarian therefore has the authority to set the minimum housing requirements for any

animals used by the institution for research, training or teaching. In practice, informed veterinary recommendations are typically supported by the IACUC.

According to OLAW, “institutions have discretion to subject animal activities to IACUC oversight regardless of the source of funding. This practice ensures uniform standards, appropriate oversight and accountability, and therefore is often in the best interest of the institution.”<sup>2</sup> In addition, the use of animals in scientific teaching falls under the category of research training and is therefore included in activities covered in the institution's Animal Welfare Assurance. The IACUC has the authority to require that all investigators meet the recommendations of the *Guide for the Care and Use of Laboratory Animals*<sup>3</sup> in order

to protect animal welfare and the research interests of the institution as a whole.

Although Roth proposes that his expertise supersedes the judgment of the veterinarians, Principle IX of the *US Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training* indicates that “the decisions should not rest with the investigators directly concerned but should be made, with due regard to Principle II, by an appropriate review group such as an institutional animal care and use committee. Such exceptions should not be made solely for the purposes of teaching or demonstration.”<sup>1</sup> Because the standards of the Association for Assessment and Accreditation of Laboratory Animal Care International are the product of an appropriate review group for the species