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Authority to euthanize

Josh Scofield’s research used C57Bl/6 mice, a strain he had used for years. Some of his animals had a dermatitis that was typical for the strain, and these animals usually received palliative care from Great Eastern University’s veterinary service. When treatment could no longer provide adequate relief, the mouse was euthanized. There had never been any difficulty between Scofield and the school’s veterinarians until he and one of the veterinarians disagreed about whether a particular mouse should be euthanized. Scofield said it should not be euthanized because grant money was tight and he needed to gain as much information as possible from every animal. The veterinarian said the mouse should be euthanized because it was suffering. The attending veterinarian was consulted, and she confirmed the opinion of the first veterinarian, adding that the animal was nearly moribund and that the longer euthanasia was delayed, the more likely it

was that Scofield would not be able to use any of the data obtained from the mouse. Scofield strongly disagreed and said he would euthanize the mouse the following morning. There was a temporary stalemate, during which time the mouse’s health deteriorated, Scofield continued to refuse euthanasia and, finally, the veterinarian took it upon himself to euthanize the mouse, knowing full well that there would be negative repercussions.

Scofield vented his anger on the IACUC and Institutional Official (IO). The IO acknowledged his concerns but would only commit to supporting any decision made by the IACUC. The IACUC chairman established an *ad hoc* subcommittee to investigate the incident and determine how to prevent a recurrence. The first thing the subcommittee did was to consider an investigator’s authority to refuse euthanasia of an animal and a veterinarian’s authority to euthanize an animal contrary to the wishes

of an investigator. The *Guide for the Care and Use of Laboratory Animals*¹ (the *Guide*) provided the subcommittee with guidelines for the emergency care of animals, and the subcommittee members believed that the current problem could have been considered an emergency. But the *Guide* seemed to give the veterinarian the authority to euthanize an animal only if two conditions were met: first, that she or he could not reach consensus with the investigator, and second, that the IO, attending veterinarian and IACUC had previously delegated such authority to the veterinary staff. The latter condition had never been met.

What is your opinion? Did the veterinarian have legitimate authority to euthanize the mouse, or did he overstep his authority in doing so out of compassion for the animal?

1. Institute for Laboratory Animal Research. *Guide for the Care and Use of Laboratory Animals* 8th edn. (National Academies Press, Washington, DC, 2011).

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RESPONSE

Compassionate and rational

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In our opinion, the veterinarian acted compassionately and rationally and did not overstep his authority by euthanizing the mouse against the researcher’s wishes. In decisions about humane endpoints, regulatory guidance, protocol parameters and professional judgment must be considered. We assume that Great Eastern University has a Public Health Service (PHS) Assurance. The *PHS Policy on Humane Care and Use of Laboratory*

*Animals*¹ contains the US Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training. Principle I states, “care and use of animals should be in accordance with the Animal Welfare Act² and other applicable Federal laws.”

The attending veterinarian (AV) has the responsibility “for the health and well-being of all laboratory animals used at the institution”³. Additionally, the Animal Welfare Act regulations state that “[e]ach research facility shall assure that the attending veterinarian has appropriate authority to ensure the provision of adequate veterinary care”⁴. We believe that the AV should make the final decision concerning animal welfare. Veterinarians working under the direction of the AV should be considered the AV’s delegates and therefore hold the same authority. In this case, the AV had been

consulted and agreed that euthanasia of the mouse was appropriate.

Investigator rights are described both in the protocol and in the regulations. Animal manipulations and humane endpoint criteria should be clearly described in the protocol, and appropriate pain levels should be assigned to these activities. When animal suffering goes beyond that described in the protocol, veterinarians and investigators should discuss how to proceed, but the American College of Laboratory Animal Medicine position statement on Adequate Veterinary Care⁵, endorsed by the *Guide for the Care and Use of Laboratory Animals*³, states that “the veterinarian... must have the authority to remove an animal from an experiment which is adversely affecting its well-being beyond a level reviewed and approved by the IACUC.” Scofield could amend his protocol to include dermatitis