

**RESPONSE**

**Crossed the line**

**Rhonda S. Griess, BSc, ALAT & Kathy Ellenbolt, BSc, ALAT**

Animal researchers must be objective in their actions and diligent in following the rules and mandates established by regulatory authorities. The purpose of an Animal Use Protocol is to put into place the exact procedures for a given study and to ensure that they comply with the established guidelines.

In this scenario, Stein crossed the line. As an experienced researcher, she should have known that this injury was not life-threatening and that any injury occurring during a study requires a call to the veterinarian before treatment. She should have also been fully aware that it is not acceptable to use drugs that are not approved for a study. Her experience as a researcher should not have allowed these mistakes to occur. We also wonder how valuable this research animal is with only one eye.

The word ‘panicked’ is key to this breach in protocol. To work outside the approved protocol is unacceptable, especially in this case, where Stein apparently responded emotionally instead of logically and systematically. It is stated in the scenario that she became very upset over the situation, even devastated. This is not a good emotional state to be in when making decisions or carrying out surgery. A few minutes after carrying out the unauthorized surgery, she pulled herself together and successfully contacted the veterinarian. If she had consulted the veterinarian first, then perhaps she could have carried out the same procedure, under clinical care, to assist her injured animal. This should have been her first response to an emergency rather than an afterthought.

Stein allowed her emotions to guide her response in a non-emergency situation and to cloud her professional judgment. Or is there another explanation? Is it possible that, working alone on a Saturday afternoon, she became distracted and didn’t observe the mice with enough diligence to stop the fighting before this injury occurred? Then, after the unfortunate injury, perhaps she realized the need to cover up her negligence

**A word from USDA and OLAW**

*In response to the questions posed in this scenario, the United States Department of Agriculture, Animal and Plant Health Inspection Service, Animal Care (USDA/APHIS/AC) and the Office of Laboratory Animal Welfare (OLAW) offer the following clarification and guidance:*

Although this scenario involves rodents, which are not USDA-covered species, it is important to consider how the USDA/APHIS/AC requirements would apply to a similar scenario involving USDA-covered species.

Section 2.33(b) of the Code of Federal Regulations on Attending Veterinarian and Veterinary Care<sup>1</sup> states, “Each research facility shall establish and maintain programs of adequate veterinary care that include...the use of appropriate methods to prevent, control, diagnose and treat diseases and injuries, and the availability of emergency, weekend and holiday care” and states that “a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian.”

In addition, the *Guide for the Care and Use of Laboratory Animals* requires that animals are cared for by qualified personnel every day and that emergency veterinary care is available and provided<sup>2</sup>.

The research facility should have a mechanism in place for veterinary contact and care on weekends and holidays or in the event of an emergency. This information should be clearly conveyed to facility personnel and investigators to ensure that they are familiar with the appropriate personnel and procedures for handling veterinary emergencies.

1. Code of Federal Regulations, Title 9, Chapter 1, Subchapter A — Animal Welfare: Part 2 Regulations (§2.33b).
2. Institute for Laboratory Animal Research. *Guide for the Care and Use of Laboratory Animals* 46 (National Academies Press, Washington, DC, 1996).

**Chester Gipson, DVM**  
Deputy Administrator  
USDA, APHIS, AC

**Patricia Brown, VMD, MS, DACLAM**  
Director  
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and used an elaborate emotional story to try to sway the IACUC into believing that she was doing a good deed.

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**RESPONSE**

**Should no good deed go unpunished?**

**Randall J. Nelson, PhD**

Stein took action to make a bad situation with aggressive mice better. She did this with the best intentions and with genuine concern for animals. Should the IACUC deal aggressively with her noncompliance? Or should this good deed go unpunished?

Stein anesthetized an injured animal, enucleated one eye and treated that animal appropriately. Only then did she contact the weekend call veterinarian. She had the expertise and approval to anesthetize mice and treat wounds, just not under these circumstances. After the fact, the veterinarian agreed in principle with the treatment. However, the injuries were not so severe that immediate treatment precluded veterinary consultation.

This is a question of timing. Had Stein contacted the veterinarian first, the situation would have been less problematic for the IACUC. The *Guide for the Care and Use of Laboratory Animals* reminds us that “[a] veterinarian or the veterinarian’s designee must be available to expeditiously assess the animal’s condition, treat the animal, investigate unexpected death, or advise on euthanasia”<sup>1</sup>. Hindsight is 20/20, but if the veterinarian had been consulted before the mouse was treated, she could