Animal Care and Use: Reporting Suspected Violations

All institutions involved with use of animals for research must establish an Institutional Animal Care and Use Committee (IACUC) to ensure the ethical and sensitive care and use of animals. The IACUC at this medical center is the Animal Studies Subcommittee of the Research and Development Committee. One of the basic functions of the IACUC, as specified in the USDA Regulations is to "review and if warranted, investigate concerns involving the care and use of animals at the facility resulting from public complaints received and from reports of noncompliance received from laboratory or research facility personnel or employees" 9 CFR Part 2, Subpart C, Section 2.31 (c) (4). Also required under 9 CFR Part 2, Subpart C, is training of personnel in the "methods whereby deficiencies in animal care and treatment are reported, including deficiencies in animal care and treatment reported by any employee of the facility."

Mistreatment is physical or psychological, wrongful or abusive treatment of an animal. Noncompliance means that procedures or policies are not being followed. Even if the mistreatment is not intentional or noncompliance stems from confusion or misunderstanding, allegations of mistreatment or noncompliance must be reported.

Frequently the veterinary medical officer, VMU staff and investigator can work together to correct problems. However, serious or repeated problems always demand the involvement of the IACUC. If in doubt, it is better to report, as this may well protect the institution, the complainant, the alleged violator(s) and, of course, the animals. **Formal complaints should be submitted in writing directly to the IACUC chairperson.** Complainants who openly identify themselves will receive an acknowledgment of receipt of the allegation. At this institution, the IACUC as a whole will be responsible for investigating allegations of mistreatment or noncompliance.

As dictated by the USDA Regulations, there must be no restrictions on who can report an alleged incident and no threat of reprisals against those reporting perceived mistreatment or noncompliance. There must be no implication that reporting such instances could be detrimental to an individual’s standing within the organization. The USDA Regulations provide specific protections under the law. [9 CFR, Part 2, Subpart C, Section 2.32 (c) (4)]

All persons working with animals need to be aware that the IACUC acting on its own authority, is empowered under USDA Regulations and PHS Policy to suspend a previously approved project pending investigation of allegations of mistreatment or noncompliance and suspend the project indefinitely if allegations are verified and corrective measures are not taken. In accordance with Federal regulations, reports of suspension of activity must be forwarded to VA National Headquarters. In addition, if the IACUC verifies the violation, a report must be submitted to PHS if PHS funds are involved. The Center Director’s Office, in consultation with the IACUC, has the power to impose further sanctions on those found responsible for mistreatment or noncompliance.

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