



February 07, 2024

The Honorable Norris Cochran
Acting Assistant Secretary for Financial Resources (ASFR)
U.S. Department of Health and Human Services

Via e-mail: Norris.Cochran@hhs.gov

Dear Acting Assistant Secretary Cochran:

Thank you in advance for your time. I'm writing on behalf of People for the Ethical Treatment of Animals—PETA entities have more than 9 million members and supporters globally—regarding the Department of Health and Human Services (HHS) awarding of ongoing and/or recent contracts and financial compensation to MRIGlobal, even though this vendor received two “critical” violations of the Animal Welfare Act (AWA) regulations on August 3, 2023,¹ and an “Official Warning” on November 2, 2023,² issued by the U.S. Department of Agriculture (USDA). **We urge you to use the authority granted by Health and Human Service Acquisition Regulation clause 352.270-5b to terminate all current HHS contracts awarded to MRIGlobal that entail experiments on animals and bar all future such contracts.**

MRIGlobal Violated AWA Regulations

According to the USDA inspection report of MRIGlobal dated August 3, 2023, the company's Institutional Animal Care and Use Committee (IACUC) received an incident report on July 29, 2022, for a study conducted at MRIGlobal detailing negligence by the company, which administered eyedrops to 32 rabbits at a significantly more acidic pH range (pH 5.09-5.56) than the study protocol's specified pH range (pH 6-7.4).³ The error was secondary to the company not checking the pH prior to administering the eye drops, resulting in avoidable harm to the animals, and this USDA inspection report noted the Study Director and Client's determination that “any further data from the study would be unusable due to the incorrect formulation being given to the animals.”⁴

Furthermore, according to the same USDA inspection report, on July 27, 2022, two Crab-eating macaques at MRIGlobal were incorrectly administered a test article in the wrong muscle group. When notified of this error, the company's IACUC “decided to euthanize the two mis-dosed macaques as they

¹ Boone B. Inspection report. United States Department of Agriculture. Prepared Sept 29, 2023. Accessed Nov 29, 2023. https://www.peta.org/wp-content/uploads/2023/10/2023-08-03_MRI-Global-rabbits-monkeys-dogs.pdf

² Mullaney R. Official warning notice of alleged violation. United States Department of Agriculture. Issued Nov 2, 2023. Accessed Nov 29, 2023. <https://www.aphis.usda.gov/enforcement/mriglobal.pdf>

³ Boone B.

⁴ *Ibid*

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could not provide scientifically valid data and to spare them any further unnecessary adverse effects.”⁵

This USDA inspection report notes that MRIGlobal’s failure to follow protocols “may adversely affect the health and well-being of the animals,” and the two instances mentioned above “were serious deviations from the ongoing activities regarding the care and use of animals that the IACUC had reviewed and approved.”⁶ The “Official Warning” issued by the USDA documents that MRIGlobal is in violation of 9 C.F.R. § 2.31(c)(6) concerning the company’s IACUC, Institutional Animal Care and Use Committee (IACUC),⁷ as MRIGlobal failed to “[r]eview and approve, require modifications in (to secure approval), or withhold approval of those components of proposed activities related to the care and use of animals”⁸ to ensure that “[p]rocedures involving animals will avoid or minimize discomfort, distress, and pain to the animals.”⁹

Other violations cited by this USDA inspection report included four beagles who were at risk of severe dehydration as MRIGlobal did not provide potable water and water bowls of insufficient size and composition to be spill-proof.¹⁰ The USDA inspection report also details MRIGlobal’s negligence when it comes to securing rabbits resulting in them escaping, enduring injuries such as bruising on the abdomen, and becoming trapped in the improperly spaced cage bars.¹¹

Animal Experimentation Contracts Awarded to MRIGlobal by HHS:

HHS has ongoing and/or recent awards issued to MRIGlobal totaling at least \$5,868,242.00, based on four contracts described below that directly mention the use of animals:

PIID	Project Name	Award Amount
75A50122D00018 ¹²	MRIGLOBAL - BASE (BIO) - IDIQ FOR BARDA BIOLOGICAL ANIMAL MODEL AND MCM DEVELOPMENT	\$32,223.00
75A50122D00009 ¹³	MRI GLOBAL (CHEM) - IDIQ FOR BARDA CRN ANIMAL MODEL DEVELOPMENT	
75A50120F33002 ¹⁴	PROJECT RTOR BIO-AMT-1021: DEVELOPMENT OF ANIMAL MODELS FOR EVALUATION OF MEDICAL COUNTERMEASURES FOR SARS-COV-2	\$5,695,323.00
75D30121P12152 ¹⁵	HD DERMAL CHALLENGE IN MICE	\$140,696.00
	Total	\$5,868,242.00

⁵ *Ibid*

⁶ *Ibid*

⁷ Mullaney R.

⁸ IACUC 9 C.F.R. § 2.31(c)(6) Institutional Animal Care and Use Committee (IACUC). Code of Federal Regulations. Updated Nov 28, 2023. Accessed Nov 29, 2023. <https://www.ecfr.gov/current/title-9/chapter-I/subchapter-A/part-2/subpart-C>

⁹ IACUC 9 C.F.R. § 2.31(d)(1)(i) Institutional Animal Care and Use Committee (IACUC). Code of Federal Regulations. Updated Nov 28, 2023. Accessed Nov 29, 2023. <https://www.ecfr.gov/current/title-9/chapter-I/subchapter-A/part-2/subpart-C>

¹⁰ Boone B.

¹¹ Boone B.

¹² PIID 75A50122D00018. USASpending.gov. Accessed Nov 29, 2023.

https://www.usaspending.gov/award/CONT_IDV_75A50122D00018_7505

¹³ PIID 75A50122D00009. USASpending.gov. Accessed Nov 29, 2023.

https://www.usaspending.gov/award/CONT_IDV_75A50122D00009_7505

¹⁴ PIID 75A50120F33002. USASpending.gov. Accessed Nov 29, 2023.

https://www.usaspending.gov/award/CONT_AWD_75A50120F33002_7505_HHSO100201700015I_7505

¹⁵ PIID 75D30121P12152. USASpending.gov. Accessed Nov 29, 2023.

https://www.usaspending.gov/award/CONT_AWD_75D30121P12152_7523_-NONE_-NONE-

Statutory Authority to Terminate MRIGlobal’s Current Contracts and Bar New Contracts

Based on the authority granted by the Health and Human Services Acquisition Regulation clause 352.270-5b, if a contractor fails to comply with the current Animal Welfare Assurance—which in MRIGlobal’s case has occurred, given USDA’s August 3, 2023, citations of the company for “critical” violations of the AWA regulations, followed by the agency’s November 2, 2023, “Official Warning” to the company—then the Contracting Officer has the authority to immediately suspend work and further payments under this contract.¹⁶ Furthermore, “the Contracting Officer may, in consultation with OLAW, NIH, terminate this contract in whole or in part, and the Contractor’s name may be removed from the list of those contractors with Animal Welfare Assurances.”¹⁷

You can contact me directly via e-mail at dmand@peta.org. Thank you for your consideration of this important issue, and we look forward to your response.

Sincerely,



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cc: Division of Policy, Oversight, and Evaluation
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¹⁶ 352.270-5b Care of Live Vertebrate Animals. ACQUISITION.GOV. Published Dec 2015. Accessed Nov 28, 2023. <https://www.acquisition.gov/hhsar/352.270-5b-care-live-vertebrate-animals>.

¹⁷ *Ibid*