



University of Maryland, Baltimore
10 S Pine Street
MSTF Building, Rm G100
Baltimore, MD 21201

SETTLEMENT AGREEMENT

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

Date of Alleged Violation: December 30, 2019

9 C.F.R. § 3.83 Watering.

Potable water must be provided in sufficient quantity to every nonhuman primate housed at the facility. If potable water is not continually available to the nonhuman primates, it must be offered to them as often as necessary to ensure their health and well-being, but no less than twice daily for at least 1 hour each time, unless otherwise required by the attending veterinarian, or as required by the research proposal approved by the Committee at research facilities...

University of Maryland, Baltimore (UMB) personnel failed to provide a sufficient quantity of water to nonhuman primates as often as necessary to ensure their health and well-being if not continually available, and no less than twice daily for at least 1 hour each time, unless otherwise required by the attending veterinarian or approved research protocol.

As documented on the August 4, 2021 inspection report, on December 30, 2019, an animal caretaker found a macaque (RA0980) recumbent on the floor of its enclosure. Veterinary staff diagnosed the macaque with dehydration and began treatment. Despite treatment, the macaque died from complications of dehydration on January 1, 2020. An investigation by the IACUC found that a caretaker failed to check the lixit for at least two days and that the lixit malfunctioned.

Date of Alleged Violation: October 22, 2021

9 C.F.R. § 3.80(a)(2)(iii) Primary enclosures.

Primary enclosures for nonhuman primates must meet the following minimum requirements:

- (a) General requirements.
- (2) Primary enclosures must be constructed and maintained so that they:

(iii) Contain the nonhuman primates securely and prevent accidental opening of the enclosure, including opening by the animal;

UMB failed to construct and maintain primary enclosures so that they contain nonhuman primates securely and prevent accidental opening of the enclosure, including opening by the animal.

As documented on the November 17, 2021 inspection report, on the morning of October 22, 2021, staff observed a male rhesus macaque (RA0952) outside of its enclosure and moving around on top of other enclosures in the room. The macaque escaped overnight through the unlatched bottom lock of the enclosure guillotine door. While outside of its enclosure, the macaque sustained injury when another macaque bit off its tongue approximately 1 cm rostral to the frenulum. A clinical veterinarian sedated, assessed and treated the macaque for its injury.

Date of Alleged Violation: July 28, 2022

9 C.F.R. § 3.75(a) Housing facilities, general.

(a) Structure: construction. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound for the species of nonhuman primates housed in them. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

UMB failed to keep housing facilities for nonhuman primates in good repair and that they protect animals from injury, contain the animals securely, and restrict other animals from entering.

As documented on the June 13, 2023 inspection report, a male baboon sustained a hand injury after moving his unsecured cage and subsequently pulling a female baboon's cage toward him. The male baboon presented with a bleeding finger that required partial amputation of his left index finger. The baboon recovered following treatment.

Date of Alleged Violation: November 22, 2022

9 C.F.R. § 3.75(a) Housing facilities, general.

(a) Structure: construction. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound for the species of nonhuman primates housed in them. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

UMB failed to keep housing facilities for nonhuman primates in good repair and that they protect animals from injury, contain the animals

securely, and restrict other animals from entering.

As documented on the June 13, 2023 inspection report, a female baboon broke the anchor securing her cage to the wall and maneuvered the cage to a neighboring enclosure that housed a male baboon. As a result of an interaction between the two, the male baboon sustained injury to his right index finger requiring sedation and removal of the remaining fingernail.

Date of Alleged Violation: May 1, 2023

9 C.F.R. § 3.75(a) Housing facilities, general.

(a) Structure: construction. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound for the species of nonhuman primates housed in them. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

UMB failed to keep housing facilities for nonhuman primates in good repair and that they protect animals from injury, contain the animals securely, and restrict other animals from entering.

As documented on the June 13, 2023 inspection report, a male baboon came into direct contact with a female baboon in a nearby cage after the wall anchor securing his cage failed. The female baboon sustained injury to her right hand that required the amputation of a finger. The baboon recovered following treatment.

Date of Alleged Violation: October 26, 2023

9 C.F.R. § 2.38(f)(1) Miscellaneous.

Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary comfort.

UMB failed to handle animals as carefully as possible in a manner that does not cause trauma, behavioral stress, physical harm, or unnecessary comfort.

As documented on the April 10, 2024 inspection report, on October 26, 2023, laboratory personnel and a veterinary technician entered a baboon room to respond to an intravenous (IV) pump alarm. Facility personnel identified an unresponsive baboon and attempted to resuscitate the animal with no success. A review of facility surveillance footage found that the baboon accessed the IV line, pulled the line into the enclosure and bit it. The tape used to hold the IV line was no longer secure allowing the baboon to access the line. The bite created a leak in the line causing the animal to exsanguinate.

The civil penalty amount is \$8,750 to resolve the alleged violation(s) above.



By paying the civil penalty, you are entering into this Settlement Agreement and:

1. Neither admitting nor denying the alleged violation(s) described above,
2. Agreeing to waive your right to a hearing, and
3. Agreeing to waive any action against USDA under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 et seq.) for fees and other expenses incurred in connection with this/these alleged violation(s) or any action against any USDA employee in their individual capacity.