

March 27, 2025

Brent Morse, DMV
 Director
 Division of Compliance Oversight
 Office of Laboratory Animal Welfare (OLAW)
 National Institutes of Health

Via e-mail: morseb@mail.nih.gov

Dear Dr. Morse:

I am writing on behalf of People for the Ethical Treatment of Animals—PETA entities have more than 9 million members and supporters worldwide—to request that your office investigate possible noncompliance with the Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals (PHS Policy)¹ and the Guide for the Care and Use of Laboratory Animals (Guide)² related to the treatment of animals at Utah State University (USU), which has PHS Assurance # D16-00468 (A3801-01).³

According to redacted public records released by USU to PETA dated October 21, 2024,^{4,5,6} pursuant to our request on August 27, 2024,⁷ a USU laboratory technician noticed an apparent tail injury endured by one of the rats used in the university's undergraduate psychology laboratory course titled, "Analysis of Behavior: Advanced" (PSY 3400).⁸ On September 11, 2024, the technician contacted a supervising graduate student, who, on September 11, 2024, shared

¹ Office of Laboratory Animal Welfare. 2015. *Public Health Service policy on humane care and use of laboratory animals*. National Institutes of Health. Accessed February 12, 2025.

<https://olaw.nih.gov/sites/default/files/PHSPolicyLabAnimals.pdf>.

² National Research Council. 2011. *Guide for the care and use of laboratory animals* (8th ed.). The National Academies Press. Accessed February 12, 2025.

<https://grants.nih.gov/grants/olaw/guide-for-the-care-and-use-of-laboratory-animals.pdf>.

³ Letter from Engels RM to Berreau LH regarding Utah State University's Public Health Service-Approved Animal Welfare Assurance. March 18, 2022. Accessed February 12, 2025.

https://research.usu.edu/spo/files/Domestic-Assurance-Approval_D16-00468.pdf.

⁴ Letter from Utah State University's Records Manager to Flaughter K. October 21, 2024.

Accessed February 12, 2025. <https://www.peta.org/wp-content/uploads/2025/02/usu-response-letter.pdf>.

⁵ Utah State University. Public records released to PETA evincing USU's laboratory personnel's communication and a picture of an injured rat. Accessed February 13, 2025.

<https://www.peta.org/wp-content/uploads/2025/01/email-re-psy-3400.pdf>.

⁶ Utah State University. Public records released to PETA evincing USU's examination log pertaining to an injured rat. Accessed February 13, 2025. <https://www.peta.org/wp-content/uploads/2025/02/usu-small-animal-medical-record.pdf>.

⁷ Letter from Flaughter K. to Utah State University's Public Records Officer. August 27, 2024. Accessed February 12, 2025. <https://www.peta.org/wp-content/uploads/2025/02/2024-08-27-foia-for-usu-records-re-peta-psy-3400-campaign.pdf>.

⁸ Utah State University. Public records released to PETA evincing USU's laboratory personnel's communication and a picture of an injured rat. Accessed February 13, 2025.

<https://www.peta.org/wp-content/uploads/2025/01/email-re-psy-3400.pdf>.

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this finding with two other individuals.⁹ Based on available records, these individuals may have failed to consult with a licensed veterinarian.¹⁰ In addition, after the initial exam on September 11, 2024, the injured animal was not examined for 29 days until October 14, 2024.¹¹ As a result, the animal may have been subjected to unnecessary pain, distress, and potential health complications due to this apparent tail injury.

The approach of the USU personnel to the injury documented in the public records release^{12,13}—failure to establish and maintain a program of adequate veterinary care, including the availability of appropriate and timely examination of animals—appears to indicate noncompliance with PHS Policy and the Guide.

The Guide¹⁴ specifies that “an essential part”¹⁵ of using animals in research, teaching, and testing is predicated on a properly functioning “animal care and use Program,”¹⁶ which includes, among other things, proper veterinary care. The Guide further states that “[t]he veterinary care program is the responsibility of the attending veterinarian (AV), who is certified or has training or experience in laboratory animal science and medicine or is otherwise qualified in the care of the species being used. Some aspects of the veterinary care program can be conducted by persons other than a veterinarian, but a mechanism for direct and frequent communication should be established to ensure that timely and accurate information is conveyed to the responsible veterinarian about issues associated with animal health, behavior, and well-being, and that appropriate treatment or euthanasia is administered.” Finally, the Guide specifies that “[a]ll animals should be observed for signs of illness, injury, or abnormal behavior by a person trained to recognize such signs. As a rule, such observation should occur at least daily, but more frequent observations may be required, such as during postoperative recovery, when animals are ill or have a physical deficit.”¹⁷ The apparent failure of USU laboratory supervisors to notify an AV and a lack of timely examination of the rat’s apparently injured tail, indicate problems in the facility’s animal care and use program.

You can contact me directly by e-mail at MaggieW@peta.org. Thank you, and I look forward to your response.

⁹ Utah State University. Public records released to PETA evincing USU’s laboratory personnel’s communication and a picture of an injured rat. Accessed February 13, 2025. <https://www.peta.org/wp-content/uploads/2025/01/email-re-psy-3400.pdf>.

¹⁰ *Ibid.*

¹¹ Utah State University. Public records released to PETA evincing USU’s examination log pertaining to an injured rat. Accessed February 13, 2025. <https://www.peta.org/wp-content/uploads/2025/02/usu-small-animal-medical-record.pdf>.

¹² Utah State University. Public records released to PETA evincing USU’s laboratory personnel’s communication and a picture of an injured rat. Accessed February 13, 2025. <https://www.peta.org/wp-content/uploads/2025/01/email-re-psy-3400.pdf>.

¹³ Utah State University. Public records released to PETA evincing USU’s examination log pertaining to an injured rat. Accessed February 13, 2025. <https://www.peta.org/wp-content/uploads/2025/02/usu-small-animal-medical-record.pdf>.

¹⁴ National Research Council. 2011. *Guide for the care and use of laboratory animals* (8th ed.). The National Academies Press. Accessed February 12, 2025. <https://grants.nih.gov/grants/olaw/guide-for-the-care-and-use-of-laboratory-animals.pdf>.

¹⁵ *Ibid.* Page 105.

¹⁶ *Ibid.* Page 105.

¹⁷ *Ibid.* Page 112.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Wiśniewska". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping tail.

Maggie Wiśniewska, PhD
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Laboratory Investigations Department