

May 11, 2021

Dr. Elizabeth Goldentyer, DVM
Deputy Administrator, Animal Care
USDA, APHIS, Animal Care
920 Main Campus Drive, Suite 200
Raleigh, NC 27606-5210
Via Email: aceast@aphis.usda.gov

Dear Dr. Goldentyer,

On behalf of Rise for Animals (Rise), I am writing to relay our concern regarding an appeal by the University of Washington (UW) to the U.S. Department of Agriculture (USDA) Animal Care to not include a Critical Noncompliance in a final Inspection Report, and to respectfully request that you deny UW's appeal.

Document We Reviewed

In formulating the recommendation in this letter, Rise reviewed UW's December 21, 2020 USDA appeal for Inspection Report ID: 2016090000484885, which was obtained through a Freedom of Information Act request.

Finding: UW Wants USDA Animal Care to Remove a Critical Noncompliance from a Final Inspection Report

The document we reviewed reveals that on June 29, 2020, at UW's breeding facility in Arizona (Site 002), a female pig-tailed macaque was able to remove a feeder and escape her enclosure. The feeder was not properly locked by UW staff. The primate fought with a caged male pig-tailed macaque and sustained injuries so serious she had to have her left arm amputated. In response to this Critical Noncompliance, UW alerted USDA 8 days after the incident. UW appealed this Inspection Report on December 21, 2020, stating they meet the 5 requirements allowing for the incentive.

Request: Deny UW's Appeal

While UW meets 4 of the requirements to appeal, they failed to report this matter in a timely manner. The suggested timeline to appeal is within 5 days of the date of noncompliance, as stated by Animal Care's Tech Note *Incentives for Identifying, Reporting, Correcting, and Preventing Noncompliance with the Animal Welfare Act*. UW stated they missed the window to report the noncompliance due to COVID-19; however, noncompliance can be reported easily by email or

orally, either of which would take mere minutes. Therefore, this delay in reporting of a Critical Noncompliance does not meet the final requirement to appeal and is not justified by the pandemic.

Further, it is important that a noncompliance this serious—where a primate had to have a limb amputated following human error—be included in the final Inspection Report because the public should be privy to this information. The purpose of inspections is to ensure that labs are in compliance, but they are also important as a way of informing the public about government activity.

For these reasons, we respectfully urge you to deny UW’s appeal and include this Critical Noncompliance in the final Inspection Report posted online to USDA’s website. Thank you for your attention to this important request, and for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'Frances Chrzan', with a long, sweeping horizontal stroke extending to the right.

Frances Chrzan, J.D.
Legislative & Public Policy Associate
Rise for Animals