



Stop Animal Exploitation Now!

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Dr. Goldentyer and Dr. Gibbens,

I am writing to you today to file an Official Complaint against Charles River Laboratories (CRL), headquartered in Massachusetts, but with locations in Ohio, Nevada, etc. This complaint is addressed to both the Eastern Regional Office and the Western Regional Office due to the widespread locations of Charles River facilities.

It is clear from the information contained in the attached documentation that the staff of Charles River Laboratories had engaged in a multi-year pattern of negligence and incompetence which has violated the Animal Welfare Act and taken the lives of multiple animals. The information contained in the attached federal reports documents beyond a shadow of a doubt, according to CRL's own reports that negligence has killed multiple animals over a three year period including multiple primates, a dog, and multiple rabbits.

We believe that these incidents have demonstrated clear violations of section 2.32 (a) Personnel Qualifications, which states "It shall be the responsibility of the research facility to ensure that all scientists research technicians, animal technicians, and other personnel involved in animal care, treatment, and use are qualified to perform their duties. This responsibility shall be fulfilled in part through the provision of training and instruction to those personnel." The attached column E Explanations for the years 2009 – 2011 all contain the term "gavage error." In every instance this term is connected to the death of an animal. As you know, gavage error often means that during the procedure of dosing an animal with a test substance, whether it be a toxic chemical or a pharmaceutical, the tube used for this purpose is accidentally fed into the lungs instead of the stomach, effectively drowning the affected animal in the liquefied version of the test substance. Fully trained and qualified staff would not make such a mistake. Therefore, it is clear that the staff of at least one, and potentially multiple locations of Charles River Laboratories are untrained and therefore unqualified to perform the tasks which are part of the testing in their facilities.

We also believe that these incidents have violated Section 2.38 (f)(1) Miscellaneous which states "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 discomfort." Clearly, the way in which these animals were handled, by placing a potentially toxic chemical compound inappropriately (possibly in the lungs), causing death, would qualify as causing "physical harm or unnecessary discomfort."

In the Column E listings for 2009, under study 6, the report states under a listing for rabbits: "#7790 (III;750 MKD) was found dead approximately 24 hours after the first dose. Necropsy findings were consistent with gavage error." Also in the 2009 Column E listing for Study #27 1 dog is listed as being used in an oral toxicity study. The report states: "D2322/Gr2/M: Necropsy results were consistent with gavage error." In the 2009 Column E listings for Study #30 it lists 1 non-human Primate in use on a Toxicology Study. "Necropsy results were consistent with Gavage error." Also, the listing for Study #31 1 non-human primate is listed in a toxicology Study in the diagnosis section as "Necropsy results were consistent with gavage error."

Therefore the total of negligent deaths in 2009 was 4, 1 rabbit, 1 dog, 2 primates.

During 2010 another death of this nature took place. On page 10 of the 2010 column E listings, under Study 19, the report states "#8777 (I; vehicle) was found dead on gestation day 9 at the morning viability check. Necropsy findings were consistent with gavage error." The total for 2010 was 1 rabbit.

During 2011 several negligent deaths took place. On page 7 of the report under study #14 which involved 4 rabbits, the report states "#1232 died acutely post-dosing. Necropsy findings were consistent with gavage error." Under Study #21 which used 4 rabbits, the document states: "#2838 died acutely post-dosing. Necropsy findings were consistent with gavage error." Under Study #26, a dose range finding study with 1 primate, the report states "#5601 exhibited emesis post-dose and decreased food consumption. Animal was found dead. Necropsy findings were consistent with Gavage error." Under Study#27, A chronic oral toxicity study with one primate, the report states: "#4005 died acutely post-dosing. Necropsy findings were consistent with gavage error." In 2011 4 negligent deaths occurred, two rabbits and two primates.

Therefore, in a 3 year period a total of nine animals, 4 rabbits, 1 dog, and 4 primates, have been killed due to negligence. Each of these deaths was due to "gavage error." Therefore, each of these deaths can result in a violation of the Animal Welfare Act for both sections 2.32 Personnel Qualifications and 2.38 Misc. Animal Handling. In other words, these deaths can result in a total of 18 separate non-compliances, each potentially citable, and potentially punishable with a fine of \$10,000 per citation.

Additionally, these documents contain a substantial amount of other information about the animals experimented on at Charles River Laboratories. One of the main issues consistently discussed in these documents is the relative weight loss of each animal prior to euthanasia. This information is extremely relevant to regulations for the provision of adequate veterinary care:

Sec. 2.33 Attending veterinarian and adequate veterinary care.

(a) Each research facility shall have an attending veterinarian who shall provide adequate veterinary care

(2) Each research facility shall assure that the attending veterinarian has appropriate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use;

(b) Each research facility shall establish and maintain programs of adequate veterinary care that include:

(3) Daily observation of all animals to assess their health and well-being; Provided, however, That daily observation of animals may be accomplished by someone other than the attending veterinarian; and Provided, further, That a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian;

(4) Guidance to principal investigators and other personnel involved in the care and use of animals regarding handling, immobilization, anesthesia, analgesia, tranquilization, and euthanasia; and (5) Adequate pre-procedural and post-procedural care in accordance with current established veterinary medical and nursing procedures.

The question becomes, what is an acceptable level of weight loss? As discussed in a complaint filed by SAEN against the University of Washington, this University was cited for inadequate veterinary care relevant to a primate who had lost 25% of his her body weight. The Washington National Primate Research Center has a policy which lists acceptable weight loss at 20%.

Therefore, potentially any animal listed in these reports who is discussed with a weight loss of over 20% may potentially be considered inadequate veterinary care and therefore a violation of section 2.33 Veterinary Care.

The column E listing for Charles River Laboratories for 2009 lists a substantial number of animals with weight losses of over 20%:

Study 7 lists 4 rabbits with weight loss of up to 25%.
Study 11 lists 6 rabbits with weight loss of up to 25%.
Study 12 lists 3 rabbits with weight loss of up to 26%.
Study 18 lists 9 rabbits with weight loss of up to 30%.
Study 20 lists 27 rabbits with weight loss of up to 31%.

The column E listing for Charles River Laboratories for 2010 lists a substantial number of animals with weight losses of over 20%:

Study 14 lists 8 rabbits with weight loss of up to 28%.
Study 18 lists 7 rabbits with weight loss of up to 24%.
Study 19 lists 3 rabbits with weight loss of up to 23%.

The column E listing for Charles River Laboratories for 2011 lists a substantial number of animals with weight losses of over 20%:

Study 2 lists 1 rabbit with weight loss of up to 24%.
Study 5 lists 3 rabbits with weight loss of up to 24%.
Study 8 lists 1 guinea pig with weight loss of up to 31%.
Study 11 lists 1 rabbit with weight loss of up to 28%.
Study 12 lists 3 rabbits with weight loss of up to 24%.
Study 13 lists 1 rabbit with weight loss of up to 23%.
Study 14 lists 3 rabbits with weight loss of up to 25%.
Study 16 lists 2 rabbits with weight loss of up to 29%.
Study 17 lists 39 rabbits with weight loss of up to 33%.
Study 20 lists 1 rabbits with weight loss of up to 23%.
Study 21 lists 3 rabbits with weight loss of up to 28%.
Study 22 lists 5 rabbits with weight loss of up to 26%.

A continuing pattern of disregard for the well-being of these animals, their suffering, and debilitation, speaks of both unqualified personnel and inadequate veterinary care violating sections 2.32 Personnel Qualifications, and 2.33 Attending Veterinarian and Adequate Veterinary Care.

I know that your office considers major violations of the Animal Welfare Act to be very serious in nature, especially when these violations take the lives of animals. The treatment of animals at this facility illustrates attitudes of carelessness and negligence that must be punished so that meaningful changes can be made. Therefore, I also insist that you take the most severe action allowable under the Animal Welfare Act and immediately begin the process of issuing a fine against Charles River Laboratories at the completion of your investigation.

I look forward to hearing from you in the near future about the fate of this facility.

Sincerely,



Michael A. Budkie, A.H.T.,
Executive Director, SAEN

Attachments: Charles River Annual Report Column E listings 2009, 2010, 2011