



Stop Animal Exploitation Now!

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Dr. Elizabeth Goldentyer
USDA/APHIS/AC
920 Main Campus Drive, Suite 2000
Raleigh, NC 27606

6/17/11

Dr. Goldentyer,

I am writing to you today to file an Official Complaint against the University of Rochester, and to insist that serious punitive action be taken against this facility for recent violations of the Animal Welfare Act.

In an inspection report dated 5/24/11 this facility is cited for filing an inaccurate Annual Report (section 2.36) and for inadequate feeding of a primate (section 3.82). However, it has come to light (as published in the pages of the *Rochester Democrat & Chronicle*) that the two incidents of food deprivation recounted in this inspection report were intentionally carried out by University of Rochester Staff.

Since these acts were intentional, and went on for several days, I believe that they are indicative of several more violations of the Animal Welfare act which were not mentioned in the USDA inspection report, specifically:

Section 2.31 Institutional Animal Care & Use Committee – It is clear that the Institutional Animal Care & Use Committee failed in its responsibility to supervise this research project and enforce the Animal Welfare Act within the University of Rochester.

Section 2.32 Personnel Qualifications -- It is clear that the Principal Investigator of this research project is untrained and unqualified to perform animal experimentation due to his/her apparent view that starving an animal for multiple days is an effective and acceptable method for motivating an animal.

Section 2.33 Attending Veterinarian and Adequate Veterinary Care, which states "(b) Each facility shall establish and maintain programs of adequate veterinary care that include: . . . (3) daily observation of all animals to assess their well-being." (emphasis added)

If these monkeys were being observed adequately and daily then it should not have taken 4 days to determine that the monkey was not being fed.

Section 2.38 Miscellaneous, subsection (ii) which states "Deprivation of food or water shall not be used to train work or otherwise handle animals; Provided however: that the short term withholding of food or water from animals, when specified in an IACUC-approved activity, that includes a description of monitoring procedures, is allowed by these regulations."

It is clear that the IACUC had not approved this procedure and that no monitoring was done.

Also, since this researcher was not being monitored adequately, I believe that it is important that all other primate projects which utilize behavioral paradigms including food or water rewards as motivation, which routinely also involve the withholding of food or water, should be closely examined due to the potential for similar problems with these other protocols, in light of the readily apparent fact that the IACUC of the University of Rochester is obviously not fulfilling its federally mandated responsibilities to supervise animal experimentation within this facility. Researchers who work should be examined include Shawn Newlands, Lizabeth Romanski, and Gregory Deangelis. This investigation should take care to insure that adequate monitoring is done for all projects which utilize food or water deprivation. Additionally, since these projects involve the utilization of surgically attached devices such as recording cylinders and eye coils, the records for the primates used in these projects should be examined for the potential performance of unapproved surgical procedures, as well as the presence of and adequate care for bacterial infections, as these are common areas of non-compliance regarding these types of paradigms.

Additionally, since in this specific situation the conduct of this researcher was intentional, and was allowed to proceed for at least four days, this situation is very serious and deserves serious consequences.

I know that your office considers major violations of the Animal Welfare Act to be very serious in nature, especially when these violations directly influence the well-being of animals, and even more so when the violations are intentional and pre-meditated. The treatment of animals at this facility illustrates attitudes of carelessness, negligence, and willful misconduct 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 the University of Rochester.

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

Sincerely,

A handwritten signature in black ink that reads "Michael A. Budkie, A.H.T." The signature is written in a cursive, slightly slanted style.

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

Attachments: University of Rochester Inspection Report