



Memorandum

California State Polytechnic University, Pomona
Office of Research Innovation & Economic Development
Office of Research Compliance- Institutional Animal Care and Use Committee
3801 West Temple Avenue Pomona, California 91768 Building 1 Room 229
Animal Welfare Assurance # A3344-01 – IACUC principles: Reduce, Refine and Replace

Reporting of Animal Welfare Concern and other noncompliance investigations

All animal welfare concerns are taken seriously by the Cal Pomona IACUC and they have approved the following instructions and procedures for reporting and assessment on all animal care and use concerns. Anonymous reports are acceptable, and all are investigated. The identity of anyone making an anonymous report will be held in strict confidence.

Preliminary Evaluation and Actions

Upon receipt of a reported concern, the IACUC Chair, in consultation with the Attending Veterinarian, shall take immediate steps to correct the problem and protect the animals and or those who take care of the animals and will provide preliminary information to the Institutional Official. Such ameliorative steps may range from veterinary medical intervention, confiscation of the animals, and/or cessation of teaching or research activities. In some cases, involvement by the Institutional Official (IO), legal counsel, and other University officials (e.g., Department Chair or College Dean) may be required at the outset of the investigation.

In every investigation, the person(s) against whom the complaint has been raised shall be given notice of the concern and is provided an opportunity to address the allegations in writing to the IACUC (see below- Reporting contacts or email iacuc-office@cpp.edu for more guidance). In addition, if the identity of the reporting party is known, an acknowledgment of receipt shall be given, with an assurance that an investigation is underway.

Following the initial investigation, the IACUC Chair shall elect to either immediately bring the matter as a whole before the Committee or appoint a Sub-Committee to investigate the allegation.

As much information as is reasonably needed will be collected, which may entail review of documents, inspection of the facilities, and/or discussions with pertinent individuals.

IACUC Evaluation

Results of the initial evaluation, including all supporting documentation, will be provided to the Committee for consideration at a convened meeting (physical or virtual).



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Based on the information, the IACUC will determine:

1. The nature of the concern as it relates to the USDA Animal Welfare Act and Regulations (AWAR), Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals (PHS Policy), and University policy
2. The need for additional actions, such as further investigation or notification of other University officials as appropriate; and
3. Corrective measures to address the concern and prevent recurrence. In all cases, the person(s) against whom the allegations have been directed will be notified of the IACUC's decisions in writing.

Institutional Responses

Institutional responses are influenced by legal requirements, institutional policy, and the nature of the investigative findings. If the violation is verified by the IACUC, the IACUC is authorized under the USDA AWAR and PHS Policy to suspend a previously approved activity. If the IACUC suspends an activity involving animals, the IO, in consultation with the IACUC, shall review the reasons for suspension and take appropriate corrective action. If the suspension involves PHS-funded activities, a report containing a full explanation of the actions taken will be submitted to the National Institutes of Health (NIH), Office of Laboratory Animal Welfare (OLAW).

For suspensions involving USDA-regulated species, a report will be submitted to the USDA and any federal agency funding the activity. Reinstatement of an activity may only be authorized by the IACUC and shall be made in writing to the investigator.

If a PHS-funded activity is not suspended but the IACUC determines that the violation constitutes serious or continuing noncompliance, the IACUC, through the IO, shall promptly provide NIH OLAW with a full explanation of the circumstances and actions taken with respect to such cases. ¹¹¹

Examples serious noncompliance and/or reportable situations:

- Conditions that jeopardize the health or well-being of animals, including natural disasters, accidents, and mechanical failures, resulting in actual harm or death to animals;



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- Conduct of animal-related activities without appropriate IACUC review and approval;
- Failure to adhere to IACUC-approved protocols;
- Implementation of any significant change to IACUC-approved protocols without prior IACUC approval.
- Conduct of animal-related activities beyond the expiration date established by the IACUC (note that a complete review of a protocol is required at least once every three years).
- Changing the animal species without prior IACUC approval
- Using additional animals beyond the number specified in the approved protocol
- Conduct of procedures by personnel not adequately trained and/or listed on the approved protocol
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- Participation in animal-related activities by individuals who have not been determined by the IACUC to be appropriately qualified and trained to do so.
- Failure to monitor animals post-procedurally as necessary to ensure well-being (e.g., during recovery from anesthesia or during recuperation from invasive or debilitating procedures).
- Maintaining animals beyond the humane endpoints specified in the approved protocol
- Failure to ensure death of animals after euthanasia procedures (e.g., failed euthanasia with CO₂) or Improper euthanasia techniques, or use of a method of euthanasia not approved for use by the IACUC and/or the AVMA Guidelines on Euthanasia 2020 Edition
- Failure of animal care and use personnel to carry out veterinary orders (e.g., treatments).

Guidance on Prompt Reporting to OLAW under the PHS Policy on Humane Care and Use of Laboratory Animals

*While the USDA AWAR and PHS Policy do not contain specific IACUC-imposed sanctions other than suspension, the IO, in consultation with the IACUC, has the authority to impose additional sanctions on an investigator found to be responsible for mistreatment or noncompliance.

If the identity of the complainant is known, he/she will be notified in writing of the completion of the investigation, with an assurance that appropriate remedial action has been taken as applicable.



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Confidentiality

Details pertaining to an investigation in progress remain confidential to the extent possible to protect all concerned; however, when the IACUC releases the final report of its findings to federal regulatory agencies, those reports may become accessible to the public under the Freedom of Information Act.

For information on reporting procedures, please refer to the [ARC Policy on Reporting Allegations of Mistreatment or Other Noncompliance Issues](#).

Statutory Authority

USDA AWAR §2.31(d)(6) - (7) "The IACUC ^[3] may suspend an activity that it previously approved if it determines that the activity is not being conducted in accordance with the description of that activity provided by the principal investigator and approved by the Committee. The IACUC may suspend an activity only after review of the matter at a convened meeting of a quorum of the IACUC and with the suspension vote of a majority of the quorum present. If the IACUC suspends an activity involving animals, the Institutional Official, in consultation with the IACUC, shall review the reasons for suspension, take appropriate corrective action, and report that action with a full explanation to [USDA] APHIS and any Federal agency funding that activity."

PHS Policy IV.C.6-7 "The IACUC may suspend an activity that it previously approved if it determines that the activity is not being conducted in accordance with applicable provisions of the Animal Welfare Act, the Guide, the institution's Assurance, or [the PHS Policy requirements for Review of PHS-Conducted or Supported Research Projects]. The IACUC may suspend an activity only after review of the matter at a convened meeting of a quorum of the IACUC and with the suspension vote of a majority of the quorum present. If the IACUC suspends an activity involving animals, the Institutional Official in consultation with the IACUC shall review the reasons for suspension, take appropriate corrective action, and report that action with a full explanation to OLAW."

PHS Policy IV.F.3 "The IACUC, through the Institutional Official, shall promptly provide OLAW with a full explanation of the circumstances and actions taken with respect to: a) any serious or continuing noncompliance with this Policy; b) any serious deviation from the provisions of *the Guide*; or c) any suspension of an activity by the IACUC.



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Reporting contacts:

Dr. Craig LaMunyon, Associate Vice President for Research, (909) 869-2273

Dr. Juanita Jellyman, IACUC Chair (909) 869-4417

Dr. Jeff Goodwin, University and Attending Veterinarian, (909) 869-4215

Ms. Betty Gao (909) 869-4484

Or, if you feel the need for a higher authority, go to your college Dean:

College of Letters, Arts, and Social Sciences: (909) 869-3500

College of Agriculture: (909) 869-2200

College of Science: (909) 869-3600

College of Engineering: (909) 869-2472

College of Education: (909) 869-2307