

URGENT NEWS ADVISORY

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Federal Penalties Against UTMB Could Top \$250,000 As Result of New Watchdog Complaint After Documents Suggest UTMB Primate Subjects Left to Suffer

GALVESTON/HOUSTON, TX – Federal fines against embattled University of Texas, Medical Branch, Galveston could top \$250,000 as a result of a new complaint made by a national research watchdog group, which focuses on internal documents that indicate UTMB ignored dying primate research subjects and let them suffer rather than humanely euthanizing them as required by its own rules, or federal law.

SAEN, an Ohio-based watchdog that monitors U.S. research facilities, said in a complaint just filed with the U.S. Department of Agriculture that noted SAEN has "obtained documents regarding 12 primates who were used in experimentation at UTMB...8 of these 12 monkeys were found dead, and only 4 were euthanized in a study that required euthanasia for all of the primates."

SAEN is calling for the USDA to investigate all experiments at UTMB involving all primates, and that the facility be heavily fined – up to \$10,000 for each violation for each dead primate. That fine could run more than \$250,000.

Not only did UTMB not euthanize suffering monkeys as required, even those euthanized were made to suffer. UTMB's grading system for the evaluation of the deterioration of the monkeys required euthanization when monkeys reached a score of nine. The four monkeys euthanized had scores twice that (18-20), meaning even the ones euthanized were more than twice as deteriorated as they should have been, explained SAEN.

UTMB has been the subject of an intense, federal agency investigation by the USDA and the National Institutes of Health Office of Laboratory Animal Welfare (OLAW) because of serious research violations. The scandal began when the National Institute on Allergies and Infectious Diseases audited UTMB. In raising animal welfare concerns, the government report stated: "It is unknown how long these animals might have suffered before dying."

The federal probes began after SAEN filed Official Complaints with OLAW and USDA's Animal Care Division.

"The findings in these (recent) reports are very important because they demonstrate crucial problems regarding this research...these monkeys were not being adequately observed, or euthanized in a timely manner, which is an obvious lack of veterinary care, a violation of Section

2.33 Attending Veterinarian and Adequate Veterinary care," said Michael A. Budkie, SAEN executive director in his letter to the USDA.

"Each animal constitutes a violation because 8 of them were found dead (not euthanized) and even the 4 who were euthanized had seriously exceeded the criteria for euthanasia. Also, the fact that the 4 monkeys exceeded the humane endpoint of the study is a violation of section 2.31 Institutional Animal Care & Use Committee," said Budkie, who added that "the project was not being adequately supervised."

Brian Gordon, former top veterinarian at UTMB, filed two complaints with USDA and OLAW asserting that the number of animals who suffered painful deaths may be much greater than the eight uncovered earlier this year in government audit, which he called a "smoking gun indicating a much larger problem concerning the animal welfare at the (National Laboratory)." Gordon has claimed UTMB covered up the deaths of animals.

All leaked documents, federal reports, etc. are available upon request from SAEN.