



Stop Animal Exploitation NOW!

Dr. Robert Gibbens
Director, Western Region, USDA/APHIS/AC,
2150 Center Ave.
Building B, Mailstop 3W11
Fort Collins, CO 80526-8117

2/25/20

Dr. Gibbens,

I am writing to you today to file an Official Complaint against Colorado State University (84-R-0003) for a violation of the Animal Welfare Act which killed three animals, as well as a previous incident which killed another seven animals.

As you know, Colorado State University (CSU) was inspected 1/28/20. During this inspection a CRITICAL citation was issued for violating 2.131(b)(1) CRITICAL HANDLING OF ANIMALS:

"The bats were members of a breeding colony maintained by the facility. To provide environmental enrichment for the animals, shade cloth is hung on the walls of the room that houses the breeding colony. For the health and well-being of the bats, the shade cloth is taken down on a routine schedule to be cleaned and sanitized. During this incident, after being taken down and folded, the shade cloth was taken to the cage wash room and left overnight to be washed the next day. When the shade cloth was unfolded the next morning to be cleaned, three perished bats were found inside the cloth."

In the laboratory setting, the sterilization process is most often completed by washing items at very high temperatures -- capable of killing bacteria. In other words, these bats were literally boiled alive. The utter carelessness of this act, when combined with the horrific and unnecessary deaths inflicted on these animals deserve the maximum prosecution allowable under the Animal Welfare Act.

Additionally, a federal report filed by Colorado State University states:

"On May 2, 2018, the room holding 180 bats flooded resulting in the death of 7 bats."

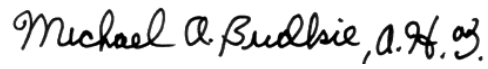
It is worth noting that the process which flooded this room was only possible because CSU staff had not looked at this room for 3 1/2 hours. This situation is clearly a second CRITICAL violation of 2.131(b)(1) CRITICAL HANDLING OF ANIMALS.

Therefore, I hereby file an Official Complaint against Colorado State University (84-R-0003). I insist that your office launch a full investigation of CSU, and at the end of your investigation of Colorado State University they must be penalized to the fullest extent of the law, a fine of \$10,000 per infraction/per animal. Since these two documents demonstrate that Colorado State University has now negligently killed 10 bats, the resulting penalty could reach \$100,000.

Colorado State University must not be allowed to kill or injure any more animals. It is up to you to prosecute this repeat offender who paid a \$23,000 USDA fine in 2011.

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 style.

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

Attachments: 1 USDA Inspection report, 1 OLAW Report



Inspection Report

Colorado State University
203 Administration 2001 Campus Delivery
Fort Collins, CO 80523

Customer ID: **1195**
Certificate: **84-R-0003**
Site: 001
COLORADO STATE UNIVERSITY

Type: ROUTINE INSPECTION
Date: 28-JAN-2020

2.131(b)(1) CRITICAL

HANDLING OF ANIMALS.

In the meeting minutes for the IACUC meeting held on April 23, 2019, the "attending veterinarian report" section mentions that an "unexpected event" occurred involving bats. The attending veterinarian explained to the APHIS inspector what happened to the bats. The bats were members of a breeding colony maintained by the facility. To provide environmental enrichment for the animals, shade cloth is hung on the walls of the room that houses the breeding colony. For the health and well-being of the bats, the shade cloth is taken down on a routine schedule to be cleaned and sanitized. During this incident, after being taken down and folded, the shade cloth was taken to the cage wash room and left overnight to be washed the next day. When the shade cloth was unfolded the next morning to be cleaned, three perished bats were found inside the cloth. The bats are presumed to have perished due to being trapped in the folded shade cloth. Facility staff immediately reported the incident to the attending veterinarian.

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.

The attending veterinarian investigated the incident. As a result, the facility developed new procedures and retrained husbandry staff to ensure no bats are trapped in the shade cloth when it is taken down for the necessary cleaning and sanitation. No more bats have been harmed during subsequent shade cloth cleanings.

This item has been corrected by the registrant.

This inspection focused on records and was conducted with facility personnel on January 28 - 29, 2020. The exit interview was conducted with facility personnel on January 30, 2020.

Prepared By:

SNOW WILLIAM, D V M

SNOW WILLIAM, D V M USDA, APHIS, Animal Care

Date:
30-JAN-2020

Title: SUPERVISORY ANIMAL CARE SPECIALIST 6125

Received By:

Title:

Date:
30-JAN-2020



Office of Vice President for Research
203 Administration Building
Fort Collins, CO 80523-2001
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June 12, 2018

Brent Morse, DVM
Acting Director, Division of Compliance Oversight
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare
National Institutes of Health
Rockledge 1, Suite 360
6705 Rockledge Drive
Bethesda, MD 20892

RE: Final report regarding adverse event

Dr. Morse,

Colorado State University (CSU), in accordance with Assurance A3572-01 and PHS Policy IV.F.3., provides this final report of protocol noncompliance regarding performance of procedures for research purposes, with mice. This incident was first reported to Dr. Neera Gopee, OLAW, on June 8, 2018 via telephone by (b) (6)

On May 2, 2018, the room holding 180 bats flooded resulting in the death of 7 bats. The bats are housed in the room free to fly and have elevated areas for roosting. During the daily cleaning, the drain flush at the back of the room was activated to flush the gutter of any debris. The drain flush is operated through a timer switch, which started at approximately 10:30 am. At approximately 2:00 pm, it was reported the area was flooding and the drain flush timer switch was found stuck.

Facilities Management was contacted and the area cleaned up by facilities and LAR personnel. There were no additional impact on animals, and the flooding did not significantly affect other animal holding areas in the basement.

To mitigate this in the short term, a sign has been posted to remind staff to make sure the drain flush is off before leaving the room. The long-term solution is to replace the timer with an on/off switch that will be turned off before leaving the room. The IACUC discussed this protocol noncompliance during the May 22, 2018 IACUC meeting and agreed that appropriate action was taken and that no further action was required.

Let us know if you have additional questions regarding this adverse event. Thank you for your consideration of this matter.

Sincerely,

(b) (6)

(b) (6) on behalf of Alan S. Rudolph, PhD, MBA

Vice President for Research
Institutional Official

(b) (6) Colorado State University