



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

2/4/14

Dr. Gibbens,

I am writing to you today to file an Official Complaint against the University of Houston (74-R-0020), for what I believe are clear violations of the Animal Welfare Act which occurred in the last two years.

The incidents that I am referencing were reported by the University of Houston to the National Institutes of Health as being non-compliances with PHS policy on animal care/use. These incidents are also clearly violations of the Animal Welfare Act, upon which the NIH policies are based.

On May 29, 2013, the University of Houston reported failure to effectively monitor the weights of 5 primates who were on water restriction. This incomplete monitoring, which is designed to protect the primates from severe weight loss caused by water deprivation, was not done for a period of eight months, significantly endangering the health and well-being of these animals. These incidents potentially violate multiple sections of the Animal Welfare Act including 2.32 Personnel Qualifications, 2.31 Institutional Animal Care and Use Committee, 2.33 Attending Veterinarian and Adequate Veterinary Care.

On October 3, 2012, the University of Houston reported the strangulation death of an infant primate. Apparently the monkey had become entangled in strings connected to a laundry bag. This is clearly a violation of section 2.38 (f)(1) Animal Handling (see 1/14/12 Inspection report for Covance lab 35-R-0030 for a similar death and citation). I also believe that this is a violation of 2.32 Personnel Qualifications.

I know that your office considers major violations of the Animal Welfare Act to be very serious in nature, especially when these violations kill or seriously injure animals. Since the University of Houston has also recently been cited for the death of a rabbit, which garnered multiple Animal Welfare Act citation, it is clear that this facility has a significant pattern of negligent behavior and must be severely penalized to avoid further non-compliances which will endanger even more animals. Therefore, I must insist that you take the most severe action allowable under the Animal Welfare Act and immediately begin the process of issuing the maximum fine allowable against the University of Houston at the completion of your investigation -- \$10,000 per infraction. If the potential current infractions are combined with those from the USDA inspection dated November of 2013, this fine could potentially reach \$70,000.

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: 2 NIH Non-Compliance Reports