

August 3, 2009

Axel V. Wolff, M.S., D.V.M.
Director, Division of Compliance Oversight
Office of Laboratory Animal Welfare (OLAW)
National Institutes of Health
RKL 1, Suite 360, MSC 7982
6705 Rockledge Dr.
Bethesda, MD
via email: wolffa@od.nih.gov

Dear Dr. Wolff:

Please consider this an official complaint and a request for an investigation of practices at the University of Wisconsin, Madison.

It appears that the University of Wisconsin, Madison has been out of compliance with its Public Health Service Assurance (currently: A3368-01) since at least 1988.

Public Health Service Policy on Humane Care and Use of Laboratory Animals [<http://grants.nih.gov/grants/olaw/references/phspol.htm#Introduction>] explains that the Policy “does not affect applicable state or local laws or regulations which impose more stringent standards for the care and use of laboratory animals.”

As you are aware, the *Guide (Guide for the Care and Use of Laboratory Animals*, National Research Council, 1996) states:

Animal facilities and programs should be operated in accord with this *Guide*, the Animal Welfare Regulations, or AWRs (CFR 1985); the Public Health Service Policy on Humane Care and Use of Laboratory Animals, or PHS Policy (PHS 1996); and other applicable federal (Appendixes C and D) state, and local laws, regulations, and policies.
(p 2)

And, as you are also aware, the University of Wisconsin, Madison has assured the Office of Laboratory Animal Welfare that it will follow the *Guide*.

Wisconsin Statute 951 “Crimes Against Animals,” part 951.025 states succinctly:

Decompression prohibited

No person may kill an animal by means of decompression.

Since at least 1988, researchers at the university have been killing sheep by means of decompression. The most recent instances of these crimes against animals and noncompliances with its PHS Assurance are documented in “Oxygen pre-breathing decreases dysbaric diseases in UW sheep undergoing hyperbaric exposure.” Sobakin AS, Wilson MA, Lehner CE, Dueland RT, Gendron-Fitzpatrick AP. *Undersea Hyperb Med*. 2008. Available at: <http://rubicon-foundation.org/dspace/bitstream/123456789/8050/1/18351128.pdf>

Past instances are documented in:

Dysbaric osteonecrosis in divers and caisson workers. An animal model. Lehner CE, Adams WM, Dubielzig RR, Palta M, Lanphier EH. *Clin Orthop Relat Res.* 1997.

Experimental respiratory decompression sickness in sheep. Atkins CE, Lehner CE, Beck KA, Dubielzig RR, Nordheim EV, Lanphier EH. *J Appl Physiol.* 1988.

In these papers, it is explained that the rapid decompressions leading to the sheep's deaths took place on the university campus at the facility referred to as the Biotron.

Please investigate this matter. We urge OLAW to impose sanctions commensurate with this apparent decades-long series of noncompliances.

Sincerely,

Lynn Pauly, Executive Director

cc: Patricia A. Brown, V.M.D., M.S. brownp@od.nih.gov
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