

A word from OLAW

In response to the questions posed in this scenario, the Office of Laboratory Animal Welfare (OLAW) offers the following clarification and guidance:

The PHS Policy (section IV.A.3.b.) requires the veterinarian appointed to the IACUC to be a "Doctor of Veterinary Medicine, with training or experience in laboratory animal science and medicine, who has direct or delegated program authority and responsibility for activities involving animals at the institutions"¹. In OLAW's interpretation, the authority and responsibility of the veterinarian to implement the PHS Policy and the provisions of the *Guide for the Care and Use of Laboratory Animals*² extends across the entire animal program³. "Direct authority" means that the veterinarian is an employee of the institution and therefore has direct authority by virtue of position. A veterinarian retained by an institution through a written contract is granted delegated authority and responsibility for animal activities by the institution. In all cases, the veterinarian responsible for implementing the program is considered to be affiliated with the institution.

A recent webinar posted by OLAW⁴ provides a more detailed explanation of the role of the veterinarian and how it is best described in the Animal Welfare Assurance between an institution and OLAW.

1. Public Health Service. *Policy on Humane Care and Use of Laboratory Animals* (US Department of Health and Human Services, Washington, DC, 1986; amended 2002).
2. Institute for Laboratory Animal Research. *Guide for the Care and Use of Laboratory Animals* 7th edn. (National Academies Press, Washington, DC, 1996).
3. Potkay, S., Garnett, N., Miller, J., Pond, C. & Doyle, D. Frequently asked questions about the Public Health Service Policy on Humane Care and Use of Laboratory Animals. Question #4. *Contemp. Top.* 36, 47–50 (1997). <http://grants.nih.gov/grants/olaw/references/faq_labanimals1997.htm#4>
4. Morgan, E., Taylor, K. & Thornton, V. Writing a good assurance. OLAW IACUC Staff Online Seminar. 9 June 2011. <http://grants.nih.gov/grants/olaw/educational_resources.htm>

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the proper care and use of the animals, the veterinarian's programmatic authority and responsibility supersedes his. In addition, River Scientific's PHS Assurance indicates that the AV has direct program authority for activities involving animals.

No matter who is in charge of the program, the focus should be on the well-being of the animals. Enrichment can enhance animal well-being. The AV is clearly responsible for the well-being of the mice and, as such, should have direct input into the types of enrichment provided. The scenario does not explain in detail the disagreement between Wilensky and Crutch regarding the provision of minimal enrichment, but because Crutch has authority to direct this aspect of the program, he could obtain support from the IACUC for his recommendations for increasing enrichment, provided that they are reasonable.

Resolving the dispute between the employees will likely be a challenge. Management should support Crutch's programmatic authority, but Crutch should work with Wilensky to understand his concerns regarding enrichment and to implement the program. It requires the expertise of both individuals to manage the animal care and use program at River Scientific.

1. Code of Federal Regulations. Title 7, Chapter 54, Section 2132(g). Definitions.
2. Public Health Service. *Policy on Humane Care and Use of Laboratory Animals* (US Department of Health and Human Services, Washington, DC, 1986; amended 2002).
3. Institute for Laboratory Animal Research. *Guide for the Care and Use of Laboratory Animals* 8th edn. (National Academies Press, Washington, DC, 2010).
4. Public Health Service. *US Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training* (US Department of Health and Human Services, Washington, DC, 2002).

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for activities involving animals at the institution"². This requirement is supported by the *Guide*³, which is used as the basis for developing and implementing an institutional program for activities involving animals that are covered under PHS Policy. According to the *Guide*, "the primary oversight responsibilities within the Program rest with the Institutional Official, the Attending Veterinarian, and the IACUC" and "the Attending Veterinarian (AV) is responsible for the health and wellbeing of all laboratory animals used at the institution. The institution must provide the AV with sufficient authority, including access to all animals, and resources to manage the program of veterinary care"³. In addition, the *Guide* states that "the AV should oversee

other aspects of animal care and use (e.g., husbandry, housing) to ensure that the Program complies with the *Guide*"³.

Crutch is correct in his argument that both PHS Policy and the *Guide* give him, the AV, programmatic authority and responsibility for activities involving animals. Wilensky could argue that PHS Policy and the Interagency Research Animal Committee's *US Government Principles of the Utilization and Care of Vertebrate Animals Used in Testing, Research and Training*⁴ give him the authority to direct the housing, feeding and nonmedical care of the animals because he is a scientist "trained and experienced in the proper care, handling, and use of the species being maintained or studied"^{2,4}. Although Wilensky is trained and experienced in