

September 25, 2003

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Dear Dr. Willems:

I hope that this letter finds you well. I copied you on our latest letter (Sept. 9, 2003) to the NIH's OLAW about additional allegations about Columbia University's failure to provide adequate care to animals used in its experiments. In that letter, I mentioned the allegation that Dr. Popilskis is said to have instructed employees to put expired drugs in the women's bathroom when Dr. LoPinto from the USDA was making his inspections. Just yesterday, we received more allegations of wrongdoing at Columbia, concerning expired drugs and the euthanasia of a litter of puppies.

According to the complainant, a litter of fully conscious puppies was placed in a plastic bag and killed with an intracardiac (IC) injection of expired Beuthanasia-D. The complainant tells us that a technician responsible for keeping drug records asked Harry Acosta for the expired solution so that it could be disposed of properly, but he allegedly refused to turn the drug over and instead took it to his office.

The puppies, of course, should not have been killed in the bag. They should have individually been given an appropriate overdose of sodium pentobarbital in an appropriate location, such as the stomach, and they should have been set aside to check for vital signs before being bagged. According to the complainant, the puppies cried out as they received the IC injection because it is, of course, very painful and should not be done without first anesthetizing the animals. We are told that the bodies of these puppies are still on site in a freezer if the USDA wants to perform a necropsy to confirm these allegations.

In addition, I have received a copy of your July 9 letter about Columbia University's failure to comply with the minimal requirements of the federal Animal Welfare Act (AWA) and wish to comment on it. These three statements are taken directly from your letter:

- 1) "Inadequate record keeping was found for 14 of the 23 animals listed by the complainant. Internal communications between caretakers and veterinary staff was shown to be poor in a number of instances. While proper communication may have taken place in some of these instances, this was not always reflected in the records. Communication problems may have resulted in inadequate care for several animals listed in the complaint."

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2) “Inadequate or questionable veterinary care was provided for 11 of the 23 animals listed in the complaint. There was some testimony given during the investigation that indicated more care had been given than was reflected in the records. However, in the absence of complete documentation, it was not possible to show the level of care provided. The investigation revealed that several animals were found dead or in a morbid or moribund condition following surgery with little or no care having been provided. Adequate and appropriate post surgical care is particularly important in high risk studies.”

3) “No significant deviations from approved protocol procedures were found to have occurred. The decision to continue intubation or to reintubate animals recovering from surgery is considered to be a veterinary decision made during clinical observation and evaluation by the veterinary staff of the animal in question.”

The USDA and Columbia found inadequate record keeping and inadequate veterinary care. How, then, is it possible for both to make the claim that “no significant deviations from approved protocol procedures” were found? This statement seems silly in light of the other findings. I assume that the information that you have provided in the third statement regarding the veterinary staff’s discretion in deciding whether to reintubate an animal is given to support the claim that no protocol deviations were found, but this just doesn’t make sense. If record keeping was substandard or non-existent in some cases, then it cannot be said that proper post-surgical care was given. Proper post-surgical care is part of the protocol. In addition, the investigation found that “several animals were found dead or in a morbid or moribund condition following surgery with little or no care having been provided.” The protocol says: “At any point animals in distress will be sacrificed as dictated by ESS.” But according to the investigation findings, ESS wasn’t paying any attention to some of the animals, and the records for the rest were shoddy at best. Is the USDA saying that the immense suffering of these animals is not a “significant deviation” from the protocol?

Has the USDA had experts in anesthesiology look at the baboon stroke protocol? Please review the enclosed letter from Nicholas Dodman of Tufts University. This letter is of great concern to us, and we would like the USDA to investigate this matter further.

We have watched this investigation unfold, hoping that the government would do what is right in this case, but this hasn’t happened. Columbia should lose its privilege to use animals in experiments. It obviously cannot even comply with the minimal standards set forth under the AWA. It provides absolutely no psychological enrichment for the primates it holds captive, and it seems to be so powerful that it gets away with this violation and many, many more. We have reason to believe that nothing has improved for animals in Columbia’s laboratories since Catherine Dell’Orto first made her complaint in October 2002. Columbia has in place the same people who have been indifferent to the problems that Dr. Dell’Orto outlined a year ago—in fact, these are the same people who were and continue to be part of the problem. Things will never

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change at the animal-care provider level until the upper-echelon attitude changes. We have been told that the only change has been an increased sense of paranoia and secrecy.

We also ask that the USDA look into the credentials of Sulli Popilskis to make sure that he has the education and training necessary to be responsible for the variety of animals used in Columbia's experiments. We understand that he graduated from the Lithuanian Veterinary Academy with a degree not comparable to a doctorate of veterinary medicine. He reportedly came to Columbia as a veterinary technician approximately 17 years ago.

Thank you for your attention to these questions, comments, and new complaints. I look forward to your response and can be reached at 757-622-7382, extension 1334, by e-mail at MaryBethS@peta.org, or via facsimile at 757-628-0781.

Sincerely,

Mary Beth Sweetland, Senior Vice President
Director, Research & Investigations Department

cc: Nelson Garnett, Director, Office of Laboratory Animal Welfare