

## 15.99.07.K1 Use of Vertebrate Animals

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### Rule Summary

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Texas A&M University – Kingsville (TAMUK) is committed to the humane and ethical treatment of vertebrate animals used in research, teaching and testing; and complies with all applicable federal, state and local laws, regulations, polices and guidelines.

This rule provides guidance in complying with federal and state laws, regulations, and guidelines relating to the humane and ethical use of vertebrate animals in research, teaching and testing. This rule applies to all employees and students who use vertebrate animals in research, teaching or testing.

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### Definitions

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Animal – Any live vertebrate animal used or intended for use in research, research training, experimentation, or biological testing or for related purposes.

Animal Care and Use Program – The activities conducted by and at an institution that have a direct impact on the well-being of animals, including animal and veterinary care, policies and procedures, personnel and program management and oversight, occupational health and safety, IACUC functions, and animal facility design and management. The university may maintain multiple location specific programs.

Animal Facility – Any and all buildings, rooms, areas, enclosures, or vehicles, including satellite facilities, used for confinement, transport, maintenance, breeding, or experiments including surgical manipulation.

Animal Welfare Act – Public Law 89-544, 1966, as amended, (P.L. 91-579, P.L. 94-279, and P.L. 99-198) 7 U.S.C. 2131 et. Seq. Implementing regulations are published in the Code of Federal Regulations (CFR), Title 9, Chapter 1, Subchapter A, Parts 1,2, and 3 and are administered by the U.S. Department of Agriculture.

Attending Veterinarian – The veterinarian responsible for the health and well-being of all laboratory animals used at the institution.

Institutional Official (IO) – The individual who bears ultimate responsibility for the Animal Care and Use Program and is responsible for resource planning and ensuring alignment of Program goals with the university’s mission. The Associate Vice President for Research is the university’s Institutional Official for purposes of this Rule.

Institutional Animal Care and Use Committee (IACUC) – An administrative body appointed by and reporting to the Institutional Official in accordance with 9 CFR Chapter 1, Subchapter C, Part 2.31, P.L. 99-158, and the Health Research Extension Act of 1985. There may be more than one IACUC appointed by the Institutional Official.

Non-compliance – failure to comply with state and federal regulations, system policies or regulations, university rules or procedures, IACUC procedures or the requirements to conduct research, teaching or testing using animals.

Public Health Service Policy – Refers to Public Health Service Policy for the Humane Care and Use of Laboratory Animals (“PHS Policy”) which requires institutions to establish and maintain proper measures to ensure the appropriate care and use of all animals involved in research, research training, and biological testing activities conducted and supported by the Public Health Service.

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## Rule

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### 1. ADMINISTRATIVE REQUIREMENTS

- 1.1 All vertebrate animals, including animals not owned by TAMUK used in research, teaching or testing regardless of the funding sources, shall be provided humane care and treatment and falls within the scope of this rule.
- 1.2 In addition to on-campus activities, this rule includes animal teaching, testing and research conducted:
  - (a) in the field by member faculty, students, or staff;
  - (b) by member students at other institutions as part of the completion of a degree;
  - (c) at another institution as part of a joint contract;
  - (d) in off-campus activities involving an undergraduate student as part of the completion of a member’s undergraduate course;
  - (e) in the teaching of member undergraduate and graduate courses;
  - (f) by graduate veterinarians for continuing education; and
  - (g) with client-owned animals participating in clinical research studies.
- 1.3 A United States Department of Agriculture (USDA) registration or license will be obtained prior to performing any activity subject to the Animal Welfare Act.

- 1.4 A Public Health Service (PHS) Animal Welfare Assurance (Assurance) from the National Institutes of Health (NIH) Office of Laboratory Animal Welfare (OLAW) will be obtained prior to performing any activity supported by PHS involving animals.
- 1.5 If TAMUK is not required, by federal regulations, to register with the USDA and/or obtain an Assurance from OLAW, it will follow
  - 1.5.1 The *Guide for the Care and Use of Laboratory Animals* when conducting research, teaching or testing activities involving non-agricultural animals and biomedical research activities in agricultural animals and;
  - 1.5.2 The *Guide for the Care and Use of Agricultural Animals in Research and Teaching* when conducting research, teaching or testing activities involving agricultural animals intended for improving animal nutrition, breeding, management, or production efficiency or for improving the quality of food and fiber.
- 1.6 The chief executive officer or designee shall establish an Institutional Animal Use and Care Committee (IACUC) or enter into an agreement with another member with an IACUC.
- 1.7 The use of vertebrate animals, whether for research, teaching or testing purposes, shall be described in an Animal Use Protocol (AUP). The AUP is a form designed to capture relevant information regarding the appropriate use of the animals in research, teaching or testing activities.
  - 1.7.1 For each project involving animals used in research, teaching, or testing, an AUP must be approved by the IACUC.
  - 1.7.2 An approved and current AUP for all animal activities must be in place at all times animals are housed or used for research, testing or teaching.
  - 1.7.3 All modifications to approved animal activities must be approved prior to initiation of the changes.

## 2. INSTITUTIONAL OFFICIAL

- 2.1 The President has appointed the Vice President for Research to serve as the Institutional Official (IO) with administrative authority to commit institutional resources to ensure that the animal care and use program will comply with state and federal requirements.
- 2.2 The IO shall execute the USDA registration(s), PHS assurance(s), and reports submitted to these agencies, as required.
- 2.3 The IO has been delegated authority by the President to appoint and remove members of the IACUC(s).

### 3. INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE (IACUC)

- 3.1 The IACUC shall be appointed, structured, and shall perform duties and functions as set forth in the most current version of the documents referenced at the end of this Rule or other applicable documents promulgated by relevant government agencies.
- 3.2 The IACUC shall be appointed by and report to the IO. There may be more than one IACUC appointed by and reporting to the IO.
- 3.3 The IACUC(s) may approve, disapprove, or request modifications of AUPs. The IACUC(s) may also suspend a previously approved research, teaching or testing activity covered by this Rule for noncompliance with protocol description, or if it is otherwise in noncompliance. The IACUC shall have full authority to enter any areas where animals are used or housed for research, teaching or testing to ensure compliance. A decision by the IACUC not to approve research, teaching or testing may not be overridden by the IO.
- 3.4 The IACUC shall carry out all of those duties specifically assigned to it in government regulations and policies. In addition to duties mandated in government regulations and policies, the IACUC(s) shall review all aspects of the program for the humane care and use of animals including short-term and long-term goals, and regulations and procedures pertaining to animal care and use.

### 4. USE OF VERTEBRATE ANIMALS IN AGRICULTURAL RESEARCH, TEACHING OR TESTING

- 4.1 Use of vertebrate animals in agricultural research, teaching or testing is overseen by the IACUC. Agricultural research, teaching or testing is defined as research, teaching or testing activities involving horses, and other farm animals, not limited to livestock or poultry, used or intended for use as food or fiber, or used or intended for use for improving animal nutrition, breeding, management, or production efficiency, or for improving the quality of food or fiber. TAMUK must follow the *Guide for the Care and Use of Agricultural Animals in Research and Teaching* when conducting research, teaching or testing activities involving food and fiber production in agricultural animals.
- 4.2 When agricultural animals are involved in biomedical research, animal use and compliance must adhere to additional applicable federal guidelines.

### 5. RESPONSIBILITIES OF THE PRINCIPAL INVESTIGATOR

- 5.1 Principal investigators are primarily responsible for compliance with all federal and state laws and regulations involving activities covered by this Rule and are responsible for:
  - (a) assuring that animal work is appropriately reviewed and approved prior to initiation of any activities or changes to approved activities. Regardless of funding sources, an AUP involving the use of animals in research, teaching, or testing must be prepared and signed by the principal investigator and must be reviewed

and approved by the IACUC. If research is collaborative or involves other institutions, approval must be obtained from each institution;

- (b) assuring that conduct of animal research, teaching or testing activities is restricted to the animal activities described in the approved AUP or approved amendments, and is in congruence with funding grants, if applicable;
- (c) assuring that all participants in animal activities are appropriately qualified through training and education to perform their responsibilities as listed in the AUP;
- (d) assuring that all participants in animal activities are enrolled in an Occupational Health and Safety program;
- (e) assuring that all animal activities involving hazardous and biohazardous activities are approved by the appropriate safety committees;
- (f) abiding by all determinations of the IACUC, including, but not limited to directives to terminate participation in designated research, teaching or testing activities;
- (g) notifying the IACUC as soon as possible after the discovery of any incident that involves adverse events relating to the care or use of animals covered by this rule, including reporting any animal concerns or noncompliance.

## 6. ATTENDING VETERINARIAN

- 6.1 The Attending Veterinarian(s), or designee(s), shall provide guidance to the campus animal facility managers, animal users, and administrators on current standards for the care and use of animals in teaching, testing and research programs, and shall serve as the Attending Veterinarian of record under the Federal Animal Welfare Act.
- 6.2 The Attending Veterinarian(s) has direct or delegated authority for activities involving animals at the institution, serves as a voting member of the IACUC(s) and coordinates campus programs for provision of adequate husbandry and veterinary care of research, testing and teaching animals.

## 7. REPORTING

- 7.1 The IO is responsible for ensuring the prompt notification to governmental authorities after the discovery of any incident that requires notification to the IACUC, OLAW, USDA, or other governmental authority with respect to the care or use of animals that are involved in research, teaching or testing activities covered by this Rule.
- 7.2 Anyone who is aware of potential violations to existing animal care and use regulations or observes misuse or mistreatment of animals are encouraged to report their concerns to the IACUC chairperson or to the IO. Concerns may also be reported anonymously on-line via the [EthicsPoint Hotline](#).

- 7.3 All allegations of mistreatment or noncompliance will be taken seriously and investigated by the IACUC. Confidentiality will be maintained to the extent possible and appropriate and permissible under the law. No university employee or student shall be discriminated against or subject to any reprisal for good faith reporting of actual or potential violations.
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## **Related Statutes, Policies, or Requirements**

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[The Animal Welfare Act \(7 U.S.C. § 2131-2159\) and Amendments and the Animal Welfare Regulations \(9 CFR chapter 1\).](#)

[Public Health Service Policy on Humane Care and Use of Laboratory Animals \(National Institutes of Health\)](#)

[Health Research Extension Act of 1985](#)

[U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training](#)

[\*Guide for the Care and Use of Laboratory Animals\*](#)

[\*Guide for the Care and Use of Agricultural Animals in Research and Teaching\*](#)

[United States Department of Agriculture Animal Care Policies](#)

[System Regulation 15.99.07, Use of Vertebrate Animals](#)

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## **Contact Office**

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