

- 22) March 18, 2013 letter from PETA submitting November 16, 2012 USDA inspection report;  
March 20 OLAW acknowledgement of receipt.

**Wolff, Axel (NIH/OD) [E]**

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**From:** Wolff, Axel (NIH/OD) [E]  
**Sent:** Wednesday, March 20, 2013 8:32 AM  
**To:** 'Jeremy Beckham'; Battey, James (NIH/NIDCD) [E]  
**Subject:** RE: USDA inspection at UW-Madison

To: Jeremy Beckham  
Date: March 20, 2013  
Subj: USDA report  
From: Director, Division of Compliance Oversight, OLAW

The OLAW Division of Compliance Oversight acknowledges receipt of the December 2012 USDA report on research cats at the University of Wisconsin- Madison. This information has been included in the ongoing case file for this investigation. You will receive a final assessment upon completion of this investigation.

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**From:** Jeremy Beckham [<mailto:JeremyB@peta.org>]  
**Sent:** Monday, March 18, 2013 7:07 PM  
**To:** Wolff, Axel (NIH/OD) [E]; Battey, James (NIH/NIDCD) [E]  
**Subject:** USDA inspection at UW-Madison  
**Importance:** High

March 18, 2013

Axel V. Wolff, M.S., D.V.M., Director  
Division of Compliance Oversight  
Office of Laboratory Animal Welfare  
National Institutes of Health  
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Bethesda, MD 20892-7982

James F. Battey, Jr., M.D., Ph.D., Director  
National Institute on Deafness and Other Communication Disorders  
31 Center Drive, MSC 2320  
Bethesda, MD 20892-2320

**Via e-mail: [wolffa@od.nih.gov](mailto:wolffa@od.nih.gov); [batteyj@nidcd.nih.gov](mailto:batteyj@nidcd.nih.gov)**

Dear Dr. Wolff and Dr. Battey:

Thank you for your time. On November 5, 2012, PETA filed a complaint with you regarding alleged noncompliance related to the University of Wisconsin-Madison's (UW) use of cats in invasive brain experiments as part of a project funded by the National Institute on Deafness and Other Communication Disorders (NIDCD). A similar complaint was filed the same day with the U.S. Department of Agriculture (USDA).

In December 2012, in response to the PETA complaint, the USDA conducted an inspection and investigation into these allegations. We have just obtained a copy of the complete USDA inspection report from its investigation, which I have attached for your consideration. As you'll see, the allegations of abuse and neglect outlined by PETA in our November complaint to your agencies were largely corroborated by the USDA.

The USDA inspector noted that there was "a pattern of recurring infections involving both the head caps and eye coils utilized in the study" and that "[a]ll of the cats [used in the experiment since 2008] had been diagnosed with chronic infections." One cat, NJ, who is still on study, had to have her eye removed as a result of these recurring infections. Other cats have had to be euthanized because their infections became so debilitating. Further, the USDA issued a citation against UW for violating the federal Animal Welfare Act (AWA) because a cat was so negligently and severely burned following a procedure that she required surgery.

We understand from NIH FOIA Officer Susan Cornell that as of January 23, 2013, the NIH's inquiry into our November allegations was still underway. The newly-released USDA report makes clear that, as we outlined for you in November, there has been widespread noncompliance with PHS Policy and the Guide in this laboratory at UW, and some of the problems have persisted for years.

In light of these new disturbing facts and the USDA's citation against the school, PETA again respectfully urges the NIH to terminate all funding for this project and seek repayment of any previous funds spent on the study during periods of noncompliance.

Please do not hesitate to contact me with any questions.

Sincerely,

**Jeremy Beckham**  
Research Project Manager  
Laboratory Investigations Department  
People for the Ethical Treatment of Animals (PETA)

Telephone #

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