

May 16, 2005

The Honorable Michael O. Johanns
Secretary of Agriculture
U.S. Department of Agriculture
12th Street and Jefferson Drive S.W., Rm. 200-A
Washington, DC 20250

By Overnight Delivery

Dear Mr. Secretary:

This is a formal complaint about Covance Laboratories, Inc. (52-R-0006)—located at 9200 Leesburg Pike in Vienna, Va.—based on an 11-month investigation into the facility. Because of the serious violations that we believe occurred at Covance, we are asking that your agency move to shut the laboratory down until a thorough investigation can be conducted.

Our investigator was hired as a primate technician in Covance's primate toxicology department and worked there from April 26, 2004, to March 11, 2005. For the record, she received an exemplary performance evaluation and a glowing letter of reference from her superiors when she left.

On Friday, July 30, 2004, our investigator began taping her days inside Covance's primate rooms. Enclosed with this cover letter, you will find the following:

- A 273-page chronological complaint alleging violations of the federal Animal Welfare Act (AWA) at Covance
- A shortened version of the complaint showing alleged violations for which there exists video or audio documentation
- Photo sheets with captions
- A video edit showing alleged violations of the AWA

As with all investigations, there were days when equipment failure made it impossible to obtain videotape. We have indicated with a camera symbol (📷) those parts of the complaint that can be viewed on DVD. You will not see these symbols appear in the complaint until July 30, 2004. For those instances where the visual on our equipment failed but audio prevailed, we have put the 🗣️ symbol, indicating that there is pertinent conversation to document the complaint.

Recurring Alleged Violations of Animal Battery, Abuse, and Neglect at Covance

Inappropriate procedures and egregiously cruel behavior fill the complaint document. We are sure that the agency will find them repetitious but enlightening as to the pervasive and chronic nature of the problems and, we believe, violations at Covance. Rather than filling the complaint document



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with AWA section language with which the agency is already familiar, we have simply identified the alleged violation by its section number, followed by our interpretation as to why the action or inaction violates that particular section.

The following are recurring themes:

- ☐ Physical violence against the primates by Covance technicians
- ☐ Verbal and psychological abuse of the primates by Covance technicians
- ☐ Failure to provide prompt and appropriate veterinary care
- ☐ Failure to provide appropriate euthanasia
- ☐ Animals known to be unhealthy used in new studies
- ☐ Failure to use less painful methods to conduct electrocardiograms (ECGs)
- ☐ Failure to properly train and supervise employees
- ☐ Painful and stressful procedures performed in full view of other primates (conspecifics)
- ☐ Failure to provide environmental enrichment
- ☐ Soaked primates left in cages after hoses were used on them during cleaning

Physical Violence Against and Verbal and Psychological Abuse of Primates by Covance Technicians

The federal Animal Welfare Act states: “Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort. Physical abuse shall not be used to train, work, or otherwise handle animals.”

PETA’s investigator documented the following behavior at Covance: Primates were slammed against the front of their metal cages with the squeeze device; employees chased and terrified loose monkeys, slamming cages filled with other monkeys into the wall in order to flush the loose monkeys out; employees taunted already petrified monkeys; employees cursed and screamed at frightened monkeys; employees choked and struck monkeys; employees hit monkeys in the face with bite bars and held their noses so that they could not breathe; and employees threatened primates as they were being dosed. Our investigator worked for the most part with only two other technicians. She knew of but could not document various acts of cruelty by others. There were times that, because of the nature of her job, our investigator could not drop what she was doing and turn around to videotape acts of violence and aggression against the primates by people with whom she was working. If this had been possible, the video edit of violations would be interminable. Supervisors were in the room on many occasions when the abuse took place and did nothing to stop it. When supervisors were made aware of such abuse (as in one instance in which the abuse was reported to the “hotline,” during our investigator’s time at Covance), the employee was simply told to take a “mandatory vacation.” Employees were called in to the office and asked if they had reported this particular technician to the hotline. This type of interrogation undermines the purpose of the hotline and leaves employees unwilling to use the purportedly confidential reporting system.

Covance employees who engaged in this cruel behavior also engaged in psychological torment of the primates by staring into their eyes, an absolutely forbidden act according to all primate experts, including Kathryn Bayne of the Association for Assessment and Accreditation of Laboratory Animal Care (AAALAC), who guided a workshop on

primate enrichment at the March 2005 Institutional Animal Care and Use Committee (IACUC) conference in San Diego.

Failure to Provide Prompt and Appropriate Veterinary Care and Euthanasia

While our investigator was at Covance, there were studies in which monkeys were not permitted to receive veterinary care despite the fact that their conditions were dire. In addition, Covance's internal IACUC overrode veterinary instructions. Here is an example from our investigator's video log:

January 3, 2005

'H' [the veterinarian], 'R,' 'K,' and 'L' discuss the rhesus with the necrotic stomach from 7285-105. 'K' says the animal's abdomen is "still puffy," and referring to the fact that the ACUC overrode her recommendation to euthanize this animal, 'H' exclaims, "So the requirement [for keeping an animal on study] is breathing ... I was pissed."

In a study involving lethal doses of radiation given to rhesus macaques, the protocol and the veterinarian called for at least 21 days of post-surgical recovery between the surgical implantation of a core body-temperature monitoring device and the irradiation of the monkeys. Because of timing conflicts, the company running the tests insisted that Covance go forward with the irradiation only 10 days after the animals underwent surgery. Covance complied and took the animals to the Armed Forces Radiobiology Research Institute (AFRRI) for irradiation before their incisions had healed. Consequently, the animals' stomach wounds did not heal properly, resulting in open necrotic flesh. Covance was completely amenable to the requests of clients regarding procedures regardless of whether they compromised animal welfare.

In another study that caused monkeys' legs to become so necrotic that they were unable to walk, technicians were forbidden to enter veterinary requests. They were told to contact either the study director or the toxicologist and to enter the primates' illnesses and injuries into the computer as "observations" even when those situations would normally warrant a veterinary request. Regarding a question about treating animals on this study, the junior veterinarian exclaimed, "We weren't allowed to! All of those sheets that [the toxicologist] sent—I was not allowed to look at those animals. It was either death or nothing."

Serious incompetence by a veterinarian named Boris Skopets was apparent during our investigator's time at Covance. In early December 2004, a young monkey's arm was broken when it became stuck in the cage bars and he panicked while it was being extricated. Skopets left the monkey untreated for four days until a junior veterinarian returned to the facility. Only then was the suffering monkey euthanized because of the serious nature of the broken bone. Technicians referred to Dr. Skopets as "Mr. Let's Wait and See."

These are only a few of the examples of animals who needed treatment or euthanasia but were denied those common decencies by Covance.

Animals With Preexisting Health Problems Used in New Studies

In a long-term study involving 64 monkeys, Covance appears (according to the technicians) to have told the client that several deaths during the study were the result of dosing errors, when in fact they were most likely the result of an unknown ailment that had been afflicting the monkeys since they were delivered to Covance and before they were put on the study. Although necropsies were deemed “inconclusive,” they did reveal lung lesions predating their having been dosed. It was understood by the technicians that Covance was concerned that the client might ask them to conduct the studies again at Covance’s expense if it was revealed that the animals had died of a condition that predated the study. Monkeys in the shipment used for this study had tested positive for and died from malaria. When our investigator found out, on February 14, 2005, that a group 2 female named Big Momma was infected with malaria, a coworker said that she wasn’t surprised because “that whole shipment was a malaria shipment.” The coworker told our investigator that some of the monkeys were put on studies and that some were put in the stock colony.

In addition, chronic diarrhea affected the majority of the Covance monkeys on study. Technicians often commented on how frequently animals with diarrhea were delivered to the lab. In order to treat these animals, Covance technicians gavaged them with Pepto Bismol when it is likely that the animals would have willingly eaten an antidiarrheal tablet instead. Toward the end of our investigator’s stay at Covance, the junior veterinarian began writing vet directives requesting that the monkeys be given tablets and that they be gavaged only if they did not eat them. It took a junior veterinarian who was almost as green as our investigator to come up with this less stressful way of dosing the monkeys.

Failure to Use Less Painful Methods to Conduct ECGs and Other Procedures

Covance made even the most potentially benign of all procedures, the ECG, as stressful and as painful as possible for the monkeys. Alligator clips were often used in such a way as to cause injuries to the monkeys’ chests and limbs. Our investigator was told by longtime employees that the teeth on the alligator clips were supposed to be filed down, but that was just one of the many things that should have been done but weren’t at Covance. The ECGs often left the animals with burns. Our investigator was given various explanations such as, “The machine isn’t grounded like it should be,” or, “It happens sometimes.” When she told a coworker that the monkeys had been burned again by the ECG machine, the coworker said, “Ahhhhh,” in sympathy and moved right on. Our investigator reported the fact that the alligator clips were injuring and burning the monkeys to the junior veterinarian, who did nothing to resolve the matter.

Primates in chair studies and those studies in which they were tied face-down to Plexiglas tables had their limbs restrained with ordinary ropes, which often burned their flesh when they struggled to escape. Even the notorious Covance laboratory in Münster, Germany, which was caught terrorizing and cruelly treating monkeys in 2003, had cuffs that appeared more humane than the cheap common rope used in the Vienna, Va., facility. One particular monkey was known to mutilate his own arms when tied down on his

stomach for dosings. Despite this, his arms were not wrapped to prevent injury during dosings.

Failure to Properly Train and Supervise Employees

When our investigator was trained at Covance's Vienna, Va., facility, she and other new technicians were shown the investigation video filmed by the British Union for the Abolition of Vivisection (BUAV) at Covance's Münster, Germany, laboratory. The trainer told this group of new staffers that only those who didn't work with nonhuman primates would think there was anything wrong with the actions shown on the German undercover video. Those actions included screaming at and threatening monkeys, cursing at the animals, forcing them to "dance" and otherwise mocking them, and shaking them in the air when they were less than cooperative. The Covance trainer told our investigator and the other technicians that monkeys "like to dance." It is no surprise, then, that we found these identical violative behaviors at the Vienna, Va., Covance laboratory. Our investigator's supervisor was often in the room when such cruel behavior occurred.

When discussing extremely ill animals who were slowly dying in the irradiation experiments conducted at Covance, our investigator's supervisor told her and a coworker that one of the monkeys had alarmed during the night because of a high fever. He referred to the animal as "the little bitch," because he had been inconvenienced by the animal's dire condition. New technicians are likely to adopt that supervisor's attitude for themselves. Oversight by higher management was virtually nonexistent.

Painful and Stressful Procedures Performed in Front of Other Waiting Primates (Conspecifics)

Monkeys used in testing at Covance were subjected to frightening, painful, and stressful procedures in front of the other animals watching intently in their cages. Animals were not taken from the rooms in order to perform painful and distressing nasal and oral gavages, and they were tied to dosing boards in front of caged monkeys and restrained for procedures such as blood draws in front of the other animals. Our investigator reported that the sight of monkeys who had been injected with ketamine greatly stressed and agitated the caged primates.

When monkeys were being screamed at by staff, shaken, or whirled in the air, caged monkeys reacted with fear and concern, circling, screaming, and, in one instance, trying to grab the arm of the person who was being abusive.

Failure to Provide Environmental Enrichment and Socialization

Covance's own SOP for enrichment calls for the primates to be provided with various kinds of food enrichment on a daily basis. The items listed include cereal, peanuts, graham crackers, saltines, a wide variety of fruits, and many other natural foods or treats. In reality, Covance rarely provides anything for the primates aside from apple slices and peeled bananas. As pathetic as it may be, being allowed to peel a banana means a lot to a primate whose life consists only of fear, painful procedures, hard, cold metal, and loud rock music. Yet at Covance, the monkeys did not receive unpeeled bananas because then someone would have had to clean up after them. Covance employees are allowed to

spend their own money to buy things like natural peanut butter for the animals, but Covance leaves that up to their own interest—or lack thereof. One employee complained to our investigator that when she did buy natural peanut butter for the monkeys, she was forbidden to give it to them. Other “enrichment devices” given to the animals consisted of a piece of PVC pipe. During our investigation, immediately prior to an announced AAALAC inspection, Covance bought kong toys for the primates and put them in their cages. Our investigator regularly commingled the monkeys in her studies, but that was not the case for animals in other studies. In fact, our investigator repeatedly asked her coworkers to provide primates in their studies with socialization but was told that it was too labor-intensive.

Primates in the notoriously dark bottom-tier cages are never rotated up to the cages that receive light (of course, arboreal animals spend a majority of their time high up and it can only add stress for animals to be kept at ground level, below those who are manipulating them). Rotating the monkeys to higher cages is a standard practice in Schering Plough’s laboratory, according to one Covance technician who came from Schering. That technician complained to our investigator that Covance does the “bare, bare, bare, bare, bare, bare minimum—the bare minimum,” to enrich the lives of the primates it uses and kills. He explained that at Schering, primates were commingled for up to 20 hours every day, while at Covance, even the 3-times-weekly commingling for several hours was virtually never adhered to. The shoddy treatment of the primates at Covance reportedly caused this individual to resign. Our investigator brought her concerns about enrichment to two supervisors, one of whom seemed to agree that it was a poor-quality program but did not change anything.

The USDA is ineffectual in addressing the issue of enrichment and socialization. It took many years after the AWA amendment requiring exercise and enrichment for the USDA to act on it, and its decision was to once again kowtow to the research community. Enrichment standards have never been promulgated under the AWA, rendering the USDA impotent to carry out Congress’ intent.

Primates Left in Cages During the Cleaning Process, Often Becoming Soaked

With all the suffering that the primates at Covance endure, they must also put up with being sprayed with feces, urine, and water when cages are cleaned. The AWA forbids cleaning cages while nonhuman primates are in them unless the animals can avoid getting wet. The USDA must know by now that laboratories will do what they will do 364 days a year and mind their manners on the one day that a USDA inspector is in town. Given that the USDA gives advance notice to laboratories, it’s not hard to understand how these registered research facilities come to the conclusion that they can carry on without fear of being cited by the USDA.

The USDA’s Bias in Favor of Animal Users Is Indefensible

Our recent experiences with the USDA’s Animal Care division leave us wondering why taxpayers are burdened with paying for an ineffectual agency that rubberstamps its approval on laboratories and their cruel procedures unless PETA conducts an undercover investigation revealing how animals suffer assault and battery on a daily basis. The USDA has bestowed favors on Columbia University, where baboons and other monkeys

were left to die in their cages without veterinary care, and we are still waiting after two years for a USDA decision on our investigation into the Sinclair Research Center in Columbia, Mo., where we documented sick and injured dogs and cats denied veterinary care and euthanasia—a place where animals received no enrichment, socialization, or exercise whatsoever, not even resting boards in the cages, and where the USDA inspector is said to have sat idly in the office without even inspecting the animal buildings.

Furthermore, on November 4, 2004, during our investigation into Covance, we called the USDA for emergency assistance for the rhesus macaques who had undergone full-body irradiation. The USDA did not show up at Covance until November 9, and during that visit, the USDA inspector told Covance officials that she “takes PETA complaints with a grain of salt.” I have enclosed photos of the stomach necrosis on the rhesus monkeys that caused us to call the USDA. The wounds you see in these photographs had gone untreated for weeks, and the animals were not given painkillers for the majority of the time that they suffered with these wounds.

Secretary Johanns, there is not one single laboratory that PETA has investigated over the years that has not revealed itself to be a lawbreaker. When will the USDA remember that and act? When will the USDA stop and reassess the trust that it has so freely placed in the laboratories it is charged with overseeing? There is a remarkable imbalance in the way the government treats “stakeholders” in the animal-research arena. We hope you are a fair man who will take our evidence, scrutinize it, and apply the same degree of scrutiny and accountability to the facilities we investigate. Covance is the first PETA investigation to fall under your watch as Secretary of Agriculture. We hope that you will let us help provide any further information and that you will insist that your agency do its job by helping the animals at Covance who have been, and no doubt are still, so cruelly treated. I can be reached at 757-962-8334. Our investigator is available for an interview with the USDA at any time. Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Mary Beth Sweetland". The signature is written in black ink and is positioned above the typed name.

Mary Beth Sweetland
Senior Vice President
Research & Investigations Department