IACUC and Owner Consent Statement

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*Relayed on behalf of and with permission from the editor-in-chief of the Journal of the American Veterinary Medical Association, via personal correspondence regarding the specific IACUC and owner consent requirements of this particular study (discussed prior to grant application)..*

“According to an NIH FAQ (<https://grants.nih.gov/grants/olaw/faqs.htm#589>), the Public Health Service Policy on Humane Care and Use of Laboratory Animals (which is what mandates IACUC oversight) does not cover the use of dead animals or parts of animals unless the activity involves (1) killing animals for the purpose of obtaining or using their tissues or other materials, or (2) project-specific antemortem manipulation of animals prior to killing them. If either circumstance is applicable to the acquisition of dead animals, body parts, or tissues, prior IACUC protocol review and approval are required. Because these tissues were collected during routine ovariohysterectomy, there does not seem to be any requirement for IACUC review.

The question of who owns the rights to the tissues (and, by extension, whether a researcher would have to obtain informed consent from the owners prior to performing research on the removed tissues) is somewhat less clear. However, according to a review from a few years ago (<http://clinchem.aaccjnls.org/content/56/11/1675#ref-3>), in cases involving tissues excised from human patients for clinical purposes, courts generally have concluded that patients do not retain ownership rights of the excised tissue. Also, federal law on the protection of human research subjects says that research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens is exempt from Institutional Review Board oversight if the information is recorded by the investigator in such a manner that subjects cannot be identified, directly or through identifiers linked to the subjects (§46.101 (b) (4): [https://www.hhs.gov/ohrp/regulations-and-policy/regulations/45-cfr-46/index.html#](https://www.hhs.gov/ohrp/regulations-and-policy/regulations/45-cfr-46/index.html)). Thus, in the situation under discussion, so long as the specimens cannot be tied back to specific cats, informed consent from the owners is probably not required.”