or a copy must be transferred if the chimpanzee moves to a different facility. The records must include standard information, including permanent individual identification, research use(s), reproductive status (past and present), a summary or copy of the medical and behavioral history, the sire’s identification number (if available), the dam’s identification number, birth date, sex, and date acquired by the sanctuary. The disposition date must also be noted, if applicable, including whether the chimpanzee died or was transferred to another site in the federal sanctuary system. The records may be created and retained in electronic form.

(4) The contractor and any subcontractor(s) operating the federally supported chimpanzee sanctuary must provide special, quarterly, and annual progress reports to the designated Federal officials as identified in the contract. The annual report must also contain a statement that certifies the sanctuary is in full compliance with these standards of care regulation.

(b) What are the rules governing the disposition of necropsy records? The CHIMP Act requires that necropsy records from chimpanzees previously used in federally funded research projects be made available on a reasonable basis to investigators engaged in biomedical or behavioral research. In order to comply with this provision, the contractor for the sanctuary system must devise a plan that will allow interested parties to contact the sanctuary and receive necropsy records when they become available. Records may be provided free of charge but requesters may be required to pay for packaging and shipping costs. The records may be created and retained in electronic form.

§ 9.9 Facility staffing.

(a) How many personnel are required to staff the chimpanzee sanctuary and what qualifications and training must the staff possess? The professional, managerial, and support staff must be sufficient to support the scope and diversity of the activities and chimpanzee population of the sanctuary. The level of staffing shall be adequate to ensure that the chimpanzees receive appropriate health care, are well cared for, and the administrative and fiscal operations are sound and in keeping with current practices required by NCRR/NIH;

(b) There must be a sufficient number of appropriately trained animal care and technical personnel to provide appropriate care to the chimpanzees at all times, including evenings, weekends, and holidays. The number of animal care staff to chimpanzee ratio shall be adjusted as experience is gained during the operation of the sanctuary. Sufficiently trained staff also must be available to maintain adequate behavioral enrichment;

(c) The Facility Director must be a person with experience in chimpanzee care and socialization techniques. In addition, the Director must have management and administrative experience;

(d) The Biosafety Officer must have experience in developing and monitoring biohazards and dealing with biosafety issues related to captive nonhuman primates. Experience in these areas dealing specifically with chimpanzees is desirable;

(e) The remaining staff, which may include part-time, full-time, or contractor Facility Veterinarian(s) and Behaviorist(s), must possess the skills, knowledge, and/or experience required to perform their duties, as elaborated within the regulation.

§ 9.10 Occupational Health and Safety Program (OHSP) and biosafety requirements.

(a) How are employee Occupational Health and Safety Program risks and concerns addressed? The sanctuary shall assure that an Occupational Health and Safety Program (OHSP) is developed and implemented in accordance with current veterinary medical practices and the guidelines and standards found in the Guide (incorporated by reference, see paragraph (a) of section 9.4);

(b) How are biosafety concerns addressed? The sanctuary shall institute and administer an effective biosafety program that addresses the biosafety hazards at that particular site. The
program shall include identifying bio-
hazards, outlining practices and proce-
dures to be followed, providing per-
sonal safety equipment or protective
clothing and equipment, and estab-
lishing a description of the facility re-
quirements for working with hazardous
agents or materials. Policies and pro-
cedures must be implemented to avoid
exposure to environmental and animal
hazards. Biosafety must be included in
the training program for all Sanctuary
employees. In establishing a program,
the Sanctuary must use current ac-
cepted practices and publications pre-
pared by the CDC, NIH, and profes-
sional societies specializing in bio-
safety. The input and guidance of per-
sonnel trained or experienced in bio-
safety are essential. Complete records
of both clinical and experimental agent
exposure must accompany each chim-
panzee sent to the sanctuary. The do-
nating facility must also provide re-
cent testing (for example, serology,
virus culture, histology) so that the
sanctuary staff is fully aware of the
health condition of the arriving chimp-
panzee. The records may be created and
retained in electronic form.

§ 9.11 Animal transport.
The transportation of chimpanzees
by surface or air must be in accordance
with the requirements set forth in the
Animal Welfare Act and Regulations
and the International Air Transport
Association (IATA) Live Animal Regu-
lations and guidelines, as applicable.

§ 9.12 Compliance with the Standards
of Care, and USDA and PHS poli-
cies and regulations.
(a) How will compliance with the stand-
ards set forth in this part be monitored
and what are the consequences of non-
compliance with the standards? The fed-
erally supported chimpanzee sanctuary
must comply with the standards of
care set forth in this part and include
a statement in the Annual Progress
Report certifying compliance with
these standards of care in accordance
with the terms of the current contract
between NCRR and the Sanctuary Con-
tractor. A designated representative of
the Secretary will monitor compliance.
The responsibility to monitor compli-
ance with the standards is delegated to
NCRR/NIH/HHS. The NIH/NCRR
Project Officer for this contract will
conduct scheduled site visits at least
one time annually (or more often if
necessary) and review monthly and
quarterly reports submitted to the
Project and Contract Officer. Sub-
contractors are subjected to the same
provisions. Failure to comply with the
standards set forth in this part, or to
correct deficiencies noted within the
allowable time period, could result in
termination of the contract by the
Federal Government (HHS/NIH), or
allow the Secretary to correct the defi-
ciencies according to the terms and
conditions outlined in the contract.
The Secretary may impose additional
sanctions on the contractor up to, and
including, authorizing assumption or
reassignment of the management of
the sanctuary contract.
(b) To what type of outside review or
inspection will the federally supported
sanctuary be subjected? As noted in
paragraph (a) of this section, the con-
tractor for the sanctuary will be mon-
itored on a regularly scheduled basis
by representatives of NCRR/NIH/HHS.
The NCRR representative will use fa-
cility site visits, reports, personal con-
tact, and any other means as appro-
priate to ensure compliance with these
standards. The contractor and sub-
contractors are required to obtain and
maintain an Animal Welfare Assurance
from NIH’s Office of Laboratory Ani-
mal Welfare (OLAW) when chimpanzees
are used for noninvasive studies as au-
thorized in the CHIMP Act. In addi-
tion, the sanctuary must achieve ac-
creditation by a nationally recognized
animal program accrediting body (such
as the AAALAC, the AZA, or similar
recognized body) within a time frame
to be determined by NCRR/NIH. The
federally supported sanctuary must
comply with the requirements set forth
in the Animal Welfare Regulations (9
CFR parts 1 through 3).

§ 9.13 Other federal laws, regulations,
and statutes that apply to the sanc-
tuary.
(a) Animal Welfare Act (7 U.S.C. 2131–
2159).
(b) Animal Welfare Regulations, 9
CFR, subchapter A, parts 1 and 2; part