

**ACCESS AND  
INSPECTION  
OF PROPERTY  
AND RECORDS**

A registered research facility must permit an inspection of the facility and/or records by APHIS officials and provide a responsible person to accompany the APHIS officials. [2.38(b)]

**Criteria**

Access to conduct an inspection includes:

- entry into place(s) of business
- entry into all areas where regulated animals are housed, used, or held
- entry into all animal areas to search for missing animals
- examination or copying of required records
- documentation of conditions and areas of noncompliance by the taking of photographs or other means
- use of a room, table, or other facilities necessary for the examination of the records and inspection of the property and animals and for completion of the inspection report

If an official of the research facility denies you, the inspector, entry into the place(s) of business or any animal housing, use, or holding area, this should be documented as a refusal of inspection (see Refusal of Inspection - Section 8.5).

If an official of the research facility refuses to allow any of the other criteria for access, such as taking of photographs or copying of records, this should be documented as a noncompliance on the inspection report.

**Non-Interference**

No one at the research facility must interfere with the inspection process. You (the inspector) do not have to tolerate abusive, threatening, or violent behavior. All threatening behavior should be taken seriously and reasonable preventive or precautionary measures should be taken.

DO NOT return to a research facility where you have been threatened, assaulted, or abused:

- without appropriate resolution of the incident
- without being accompanied by another APHIS official or law enforcement agent, if appropriate

### Reporting Interference

Examples of interference include, but are not limited to:

- physical abuse including:
  - ▶ pushing
  - ▶ shoving
  - ▶ hitting
- verbal abuse including:
  - ▶ yelling
  - ▶ swearing
  - ▶ belligerent language meant to:
    - R demean
    - R intimidate
    - R coerce
    - R threaten
- harassment (verbal, physical, emotional, sexual)
- assault or threat of an assault

#### *Imminent Danger*

If you, the inspector/APHIS official, determine that there is imminent danger due to the person's behavior, you should:

1. Leave the premises immediately and carefully, **in a manner that is not likely to inflame the situation further**
2. Call local law enforcement, if appropriate
3. Call your SACS as soon as possible
4. Complete an inspection report within 24 hours containing the following information:
  - ▶ any noncompliances identified prior to stopping the inspection
  - ▶ a statement that the inspection was stopped because the person(s) (give his/her name) was interfering with the inspection process
5. Complete a separate memo within 24 hours containing the following information, if applicable:
  - ▶ the names of any witnesses
  - ▶ a detailed, factual description of the person's behavior
  - ▶ any quotes or threatening statements made
  - ▶ the target of the violent or threatening behavior
  - ▶ the time and date the incident occurred

6. Send a copy of the inspection report to the research facility by certified mail

*Non-Imminent Danger*

If you, the inspector/APHIS official, determine that a person's behavior is interfering with the inspection process, but imminent danger does not exist, you should:

1. Notify the person that you consider this behavior as interference
2. Warn the person that if the behavior continues, you will stop the inspection
3. Leave the premises immediately and carefully, **in a manner that is not likely to inflame the situation further**, if the behavior does not stop
4. Call your SACS within 12 hours of the incident
5. Complete an inspection report within 24 hours containing the following information:
  - ▶ any noncompliances identified prior to stopping the inspection
  - ▶ a statement that the inspection was stopped because the person(s) (give his/her name) was interfering with the inspection process
6. Complete a separate memo within 24 hours containing the following information, if applicable:
  - ▶ the names of any witnesses
  - ▶ a detailed, factual description of the person's behavior
  - ▶ any quotes or threatening statements made
  - ▶ the target of the violent or threatening behavior
  - ▶ the time and date the incident occurred
6. Send a copy of the inspection report to the research facility by certified mail

NOTE: If an employee, relative, or any person present interferes with the inspection, inform the research facility representative that this behavior is considered interference, **do not inflame the situation any further**, and follow the appropriate course of action.