



Introductory Course for Commercial Dog Breeders

Part 1: Introduction to APHIS Animal
Care and the Regulatory Process



Learning Objectives

By the end of this unit, you should be able to:

1. Briefly describe how USDA APHIS Animal Care is organized
2. Explain the role of Animal Care and Animal Care Inspectors in protecting the welfare of dogs in breeding operations, including enforcement of the Animal Welfare Act (AWA)
3. List and briefly describe the types of licenses available to dog breeders
4. Describe situations in which a license is needed, or in which a facility may be exempt from licensure
5. Apply for a license




How USDA APHIS Animal Care is Organized



USDA

- Executive Branch Agency
- Mission: protect and promote food, agriculture, natural resources and related issues
- Wide range of responsibilities including:
 - Animal Welfare
 - Animal and Plant Health
 - Food Inspection and Safety
 - Nutrition programs (WIC, SNAP)
 - Price supports and loans for farmers
 - U.S. Forest Service



Animal and Plant Health Inspection Service (APHIS)

- Agency of USDA
- Promotes animal and plant health and animal welfare
- Examples of Program Units:
 - Animal Care
 - (animal welfare, humane treatment of animals)
 - Veterinary Services
 - (animal disease prevention)
 - Plant Protection and Quarantine
 - (plant disease prevention)
 - Investigative and Enforcement Service
 - (Provides investigative, enforcement and regulatory support services)



Animal Care

- Experts on animal care and husbandry
- Provides leadership for determining standards of humane care and treatment of animals
- Promotes compliance with standards through education, and enforcement of animal welfare standards
- Assists states in efforts to include pets in emergency plans
- Federal resource on animal welfare issues



Animal Care: Roles

- Enforces:
 - Animal Welfare Act (AWA)
 - Horse Protection Act (HPA)
- AWA requires the humane care of animals in:
 - Research, teaching, testing
 - Intended for use as pets or in exhibition (zoos, shows, exhibits)

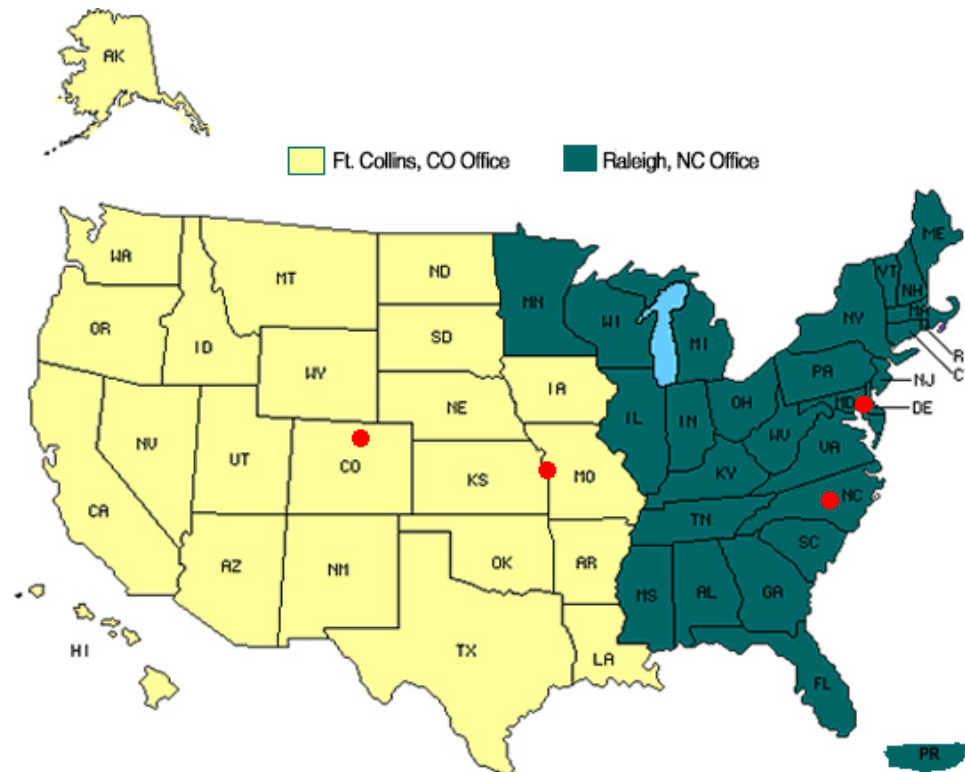
Animal Care: Organization

Headquarters: Riverdale, MD

Raleigh, NC Office

Fort Collins, CO Office

Center for Animal Welfare: Kansas City, MO





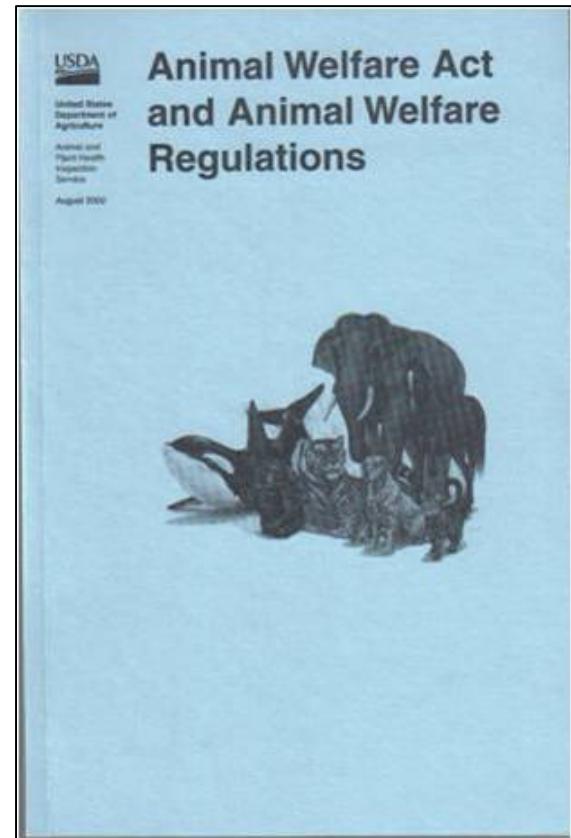
The Animal Welfare Act

The Animal Welfare Act

Regulates:

- Transportation,
- purchase,
- sale,
- housing,
- care,
- handling and treatment

of animals intended for use in research, animal exhibits, or as pets.





AWA: History

Animal Welfare Act

- Passed by Congress in response to public outcry at the theft, transport, and resale of pets for use in animal research
 - Pepper the Dalmatian – magazine article

Animals Protected by the AWA

Warm-blooded animals intended as:

- Pets
 - (Dogs, cats, guinea pigs, hamsters, rabbits, and many other warm-blooded animals)
- Laboratory research subjects
 - (dogs, cats, guinea pigs, hamsters, apes/monkeys, rabbits, etc)
- Exhibited animals
 - (zoos, circuses, educational demonstrations)



Animals Not Protected by the AWA

- Farm animals raised for agricultural purposes (meat, milk, wool, etc.)
- Horses not used in biomedical research
- Mice (*Mus*), rats (*Rattus*) and birds
- Cold-blooded animals (snakes, alligators, lizards)





Enforcement

To ensure licensed facilities follow the rules of the Animal Welfare Act, Inspectors perform:

- Prelicense inspections
- Unannounced compliance inspections
- Follow-up inspections after public complaints



Investigative and Enforcement Services

Assists in ensuring compliance with the AWA:

- Investigates alleged AWA violations
- Maintains investigative records
- Gathers and shares information about violators and violations



Enforcement Measures

Enforcement measures can include:

- Confiscation or euthanasia of animals
- Cease and desist order
- Monetary fines
- Suspension or loss of a license
- Formal prosecution



APHIS Animal Care Personnel

APHIS Inspectors

- Inspectors located nationwide
- Experts in animal care and husbandry
- Formal training and a background in animal-related fields





APHIS Inspectors: Training

Classroom training:

- Facility inspection
- Specialized training in recognizing pain and suffering
- Regular continuing education on new information related to animal welfare and health



APHIS Inspectors: Training

Continual on-the-job training to ensure fair, consistent and accurate inspections. This may include:

- Statistical analysis of inspection data
- Reviews of inspection reports, activity reports, enforcement requests and photographs by a supervisor
- Additional inspections for quality assurance

Animal Care Specialists

Special expertise and experience:

- Canines
- Birds
- Elephants
- Marine mammals
- Exotic cats
- Non-human primates



APHIS Inspections: Your Responsibilities

Ensure that:

- The facility is in compliance with the Animal Welfare Act at all times, and is ready for visitors
- Paperwork is correctly completed, up-to-date, and available for review by Inspectors
- Animals' health and well-being are monitored and maintained





USDA Licensing of Facilities



Licensing with the USDA

Any person who is an animal dealer must have a USDA license

- Dealer: any person who buys or sells any dog, or negotiates the purchase or sale of any dog, for use as a pet, research or teaching subject, or sells dogs wholesale for hunting, security or breeding
- Does not include: Retail pet stores are **not** considered dealers, unless they sell dogs to research facilities, exhibitors or other pet stores

Licensing with the USDA

Retail Pet Store is defined in the Retail Pet Store Final Rule as—

- A place of business or residence at which the seller, buyer, and the animal available for sale are physically present so that every buyer may personally observe the animal prior to purchasing and/or taking custody of it after purchase.
- A place where only the following animals are sold or offered for sale as pets: dogs, cats, rabbits, guinea pigs, hamsters, gerbils, rats, mice, gophers, chinchillas, domestic ferrets, domestic farm animals, birds, and coldblooded species.



Who Needs a License?

A license is required if:

- Produce dogs and/or cats for:
 - Research
 - Sell 25 or more dogs and/or cats per year
 - Wholesale distribution to retail pet stores or exhibition
 - Five or more breeding female dogs, cats or small exotic/wild pocket pets
- Sell any dog and/or cat not born and raised on your premises for research
- Retail sales businesses that sell animals sight unseen (born and raised)
 - More than four breeding females



Who is Exempt from USDA Licensure?

No license needed:

- Four or fewer breeding females on premises, sells offspring, born and raised on premises, as pets

License needed:

- More than four breeding females on premises, regardless of ownership, business must be licensed



Example

- Ann – two breeding female dogs
- Mike (Ann's husband) – one breeding female cat
- Elizabeth (daughter) – two breeding female dogs
- All on same premises
- Pups/kittens sold to brokers or retail pet stores
- License is required, even though no one person has more than four breeding females

Exemptions

Any person who breeds and sells dogs and/or cats directly to a pet owner, at retail, for the buyer's own use as a pet...

- AND does not buy any animals for resale
 - AND does not sell any animals to a research facility, dealer, or pet store
 - AND does all sales face-to-face
- ...is exempt from licensure.



Exemptions

Most retail pet stores which sell dogs as pets are exempt from licensure

- “Retail” implies that the buyer is the *end-user* of a product
- Retail stores need a license if any sales are not face-to-face
- Some retail pet stores may need a license if they also sell wild or exotic animals



Exemptions


Any person who sells

- Fewer than 25 dogs and/or cats per year
- Born and raised on their premises
- To a research facility or entity conducting teaching, research or testing

is exempt from licensure

Exemptions

Any person who buys dogs solely for his or her own use and enjoyment, and does not sell or exhibit them is exempt from licensure.



Scenario 1: Steph's Labradoodles

Stephanie breeds, raises and sells Labradoodle puppies to a dealer who sells puppies to pet stores.

- Steph has two breeding female dogs, and four breeding males on her premises

License requirements?

- Exempt from licensure



Scenario 2: Aaron's Retrievers

Aaron breeds Golden Retrievers.

- Four breeding females, two breeding males, and sells 20 puppies a year born on his premises from his females to a research animal broker

Aaron is exempt from USDA licensure, until...

- Stephanie asks him to sell one of her Labradoodle puppies to the research animal broker
- Aaron now must have a USDA license (Class B), in order to sell a puppy not born and raised on his premises



Types of Licenses



Types of Licenses

- USDA Class A
 - Commercial breeders
- USDA Class B
 - Brokers, and operators of an auction sale
- USDA Class C
 - Exhibitors

Commercial Breeders: USDA Class A License

- Dealers whose business includes:
 - Animals born and raised on the dealer's premises in a closed colony
 - Any animals added for the purposes of maintaining or enhancing the breeding of the colony
- Most commercial dog breeders



Brokers:

USDA Class B License

Dealers whose business includes:

- the purchase and/or resale of animals
- arranging the sale of an animal
- arranging the transport of animals in business dealings
- Operators of animal auctions

Class B licensees may exhibit animals as a minor part of their business



Sources of Animals: Class B Licensee

Random sources:

- State, county, or city-owned and operated pounds and shelters
- Humane groups and contract pounds
- Other USDA Class B licensed dealers

Non-random sources:

- Licensed Breeders
- Breeders who can certify that they are exempt from USDA licensing requirements:
 - Animals bred and raised on premises AND
 - Sold fewer than 25 dogs or cats, if for research purposes OR
 - Four or fewer breeding females on premises if for pets

Class B Licensee: Holding Periods

Brokers are required to hold the animals for a certain period before re-selling them.

The length of the holding time depends upon:

- Source of animals
- Age of animals
- Length of time already held by another licensed dealer

Examples

Rhonda:

- Breeds Manchester Terriers, Chihuahuas and Yorkies on her farm
- Has more than four breeding females
- Sells puppies at eight weeks of age to George

What type of license?

- Rhonda is a Breeder and needs a Class A License

George:

- Visits farms every two weeks
- Buys puppies from several farms
- Delivers them to “Pet-A-Rama” pet stores

What type of license?

- Broker: Class B License



Examples

“Pet-A-Rama”

- Pays George for the puppies he delivers

What type of license?

- Exempt from licensure



Class C Licensee: Exhibitor

Any person whose business involves showing or displaying animals to the public

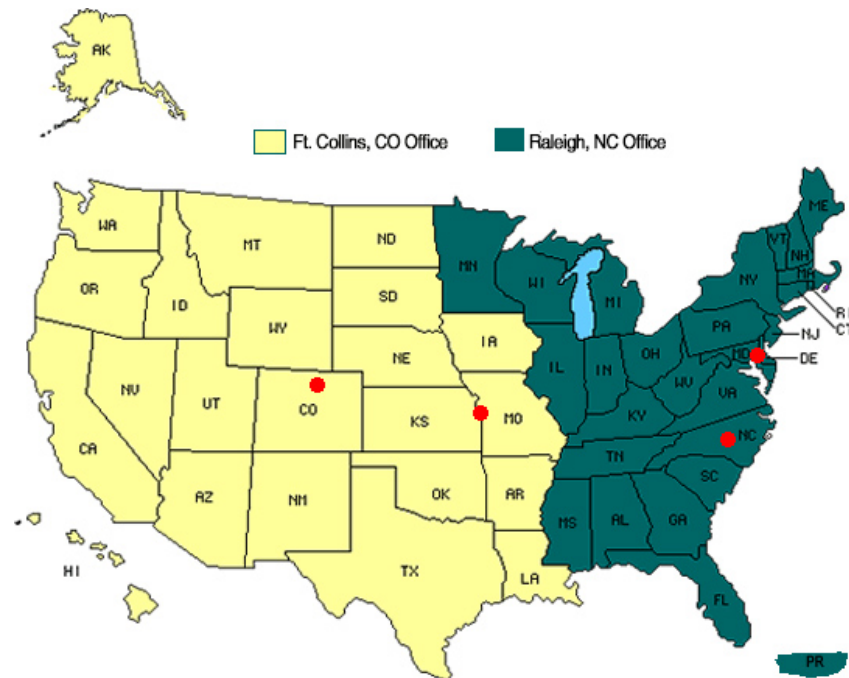
- Includes circuses, zoos, animal acts, and other animal exhibits
 - Exotic animal exhibits at county or state fairs ARE inspected
- Does not include most retail pet stores, state and county fairs, rodeos, field trials, or purebred dog and cat shows



Licensure Requirements

Prelicense Information Packet

Available upon request from the Animal Care Office serving the state in which the business will be located





Prelicense Information Packet

Contains:

- Regulations and Statutes
- Forms
- Instructions
- Guidance on setting up a compliant facility
- Checklist

Requirements:

Class A and Class B licenses

- Applicant:
 - 18 years of age, or older
 - No more than one USDA license
 - Able to provide either a Social Security Number, or a Federal Taxpayer Identification Number
- Complete license application form (APHIS Form 7003A)
- If applicant operates in more than one state, apply in the state that is the principal place of business

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE		DO NOT USE THIS SPACE - OFFICIAL USE ONLY	
APPLICATION FOR LICENSE (TYPE OR PRINT)			
NEW LICENSE			
1. NAME OF APPLICANT AND MAILING ADDRESS: (See instructions)		2. ALL BUSINESS NAMES AND LOCATION ADDRESSES HOUSING ANIMALS (INCLUDE DIRECTIONS TO EACH LOCATION, IF D. Do not accept/able)	
COUNTY: TELEPHONE NUMBER:		COUNTY: TELEPHONE NUMBER:	
3. IF THE APPLICANT IS A CORPORATION, PARTNERSHIP OR OTHER BUSINESS ENTITY, LIST THE ENTITY'S PARTNERS OR OFFICERS AND AGENT FOR SERVICE OF PROCESS.		4. (A) PREVIOUS USDA LICENSE NUMBER: (If any)	
NAME: TITLE:		(B) ACTIVE USDA LICENSE NUMBERS IN WHICH YOU HAVE AN INTEREST:	
5. TYPE OF LICENSE: <input type="checkbox"/> Class A - Breeder <input type="checkbox"/> Class B - Dealer <input type="checkbox"/> Class C - Exhibitor		6. TYPE OF ORGANIZATION: <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other	
8. LIST YOUR 12 MONTH BUSINESS YEAR: (Calendar or Fiscal)		9. DOLLARS ONLY - LIST THE GROSS DOLLAR AMOUNT OF ANIMALS YOU HAVE RECEIVED, OWNED, LEASED, OR CREDITED AT ANY ONE TIME DURING THE PREVIOUS BUSINESS YEAR.	
CLASS A (BREEDER) - LINE 10 + 11 OF LINE 10 CLASS B (DEALER) - LINE 10 + LINE CLASS THE PURCHASE COST OF THE ANIMALS SOLD. (9 CFR Sections 2.6 and 2.7)		10. DOLLARS ONLY - LIST THE GROSS DOLLAR AMOUNT OF ANIMALS YOU HAVE RECEIVED, OWNED, LEASED, OR CREDITED AT ANY ONE TIME DURING THE PREVIOUS BUSINESS YEAR.	
A. ESTIMATE TOTAL NUMBER OF ANIMALS TO BE PURCHASED IN THE NEXT BUSINESS YEAR		DOGS	NONHUMAN PRIMATES
B. ESTIMATE TOTAL NUMBER OF ANIMALS TO BE SOLD IN THE NEXT BUSINESS YEAR		CATS	MARINE MAMMALS
C. ESTIMATE GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, COMMISSIONS, ETC.)		GUINEA PIGS	FARM ANIMALS
D. ESTIMATE DOLLAR AMOUNT ON WHICH FEE IS BASED		HAMSTERS	WILDEYOTIC CANINES
		RABBITS	WILDEYOTIC FELINES
			WILDEYOTIC MAMMALS (Not listed elsewhere)
			WILDEYOTIC RODENT STOCK
			BEARS
			TOTAL (All animals listed in Block 2)
IDENTIFICATION			
I hereby make application for a license under the Animal Welfare Act (7 U.S.C. 2131 et seq.) I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and agree to comply with all the regulations and standards in 9 CFR, Subpart B, Parts 1, 2, and 3. I certify that the applicant is 18 years of age or older.			
11. SIGNATURE:		12. DATE:	
13. PRINT NAME AND TITLE:			

APHIS FORM 7003A AUG 2011 (Previous editions are obsolete)

Requirements:

Class A and Class B Licenses

- Application processing fee of \$10.00 – due when application is submitted
- Licensing fee
 - Based upon the dollar amount of the business in one year
 - Due after passing prelicense inspection



Requirements:

Class A and Class B Licenses

- Relationship with an attending veterinarian
 - Veterinarian to visit the facility regularly, preferably at least once a year
 - Program of Veterinary Care
- Program of Veterinary Care
 - Plan outlining veterinary care
 - A written plan approved and signed by the attending veterinarian, and signed by the applicant
 - Available to show to Inspectors at all times

Requirements: Class A and Class B Licenses

Completed Record of Acquisition of Dogs and Cats on Hand (APHIS Form 7005) must be presented at prelicense inspection

<small>According to the Paperwork Reduction Act of 1995, this information may not be collected or reported, and a person who refuses to provide it is a violation of information privacy. Provide your own OIG control number. The use of OIG control number for this information collection is optional. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing this collection of information.</small>												<small>OMB APPROVED</small> <small>0175-0028</small> <small>EXP. 03-31-2003</small>							
UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE																			
RECORD OF ACQUISITION OF DOGS AND CATS ON HAND																			
<small>This record is required to file by U.S.C. 2151-2156; 19 CFR, Sections 1, Parts 1, 4, and 51. Failure to maintain this record constitutes a suspension of registration of premises and/or imposition for not more than 1 year, or a fine of not more than \$1,000 or both.</small>																			
1. RECORDS OF: <input type="checkbox"/> Dealer <input type="checkbox"/> Holding Facility (Submit copy to Dealer) <input type="checkbox"/> Other <input type="checkbox"/> Exhibitor (Dogs and Cats only)												USA LICENSE OR REGISTRATION NUMBER		6. NAME AND ADDRESS OF LICENSEE, REGISTRANT, OR HOLDING FACILITY		3. BUSINESS YEAR FROM (MO./DAY/YR) TO (MO./DAY/YR)		4. PAGE NUMBER	
<small>IDENTIFICATION OF EACH ANIMAL BEING DELIVERED (BY CLASS OF BREED APPROVED)</small>																			
A.	B.	C.	D.	E.	F.	G.	H.	I.	J.	K.									
<small>1. A.I.D. OR USAF TAG NUMBER</small>	<small>2. DOG OR CAT</small>	<small>3. SEX</small>	<small>4. AGE OR DATE OF BIRTH</small>	<small>5. WT.</small>	<small>6. BREED OR TYPE, (If none breed or type specify)</small>	<small>7. DESCRIPTION OF ANIMAL (Color, distinctive marks, hair, tail, patches, etc.)</small>	<small>8. DATE ACQUIRED</small>	<small>9. NAME AND ADDRESS, USA LICENSE OR REGISTRATION NUMBER, OR BREEDER'S LICENSE NUMBER AND STATE, VENDOR LICENSE NUMBER AND STATE</small>	<small>10. Date Removed or Sold</small>	<small>11. Use of euthanasia (Specify)</small>									
	M	F	M	F															
	M	F	M	F															
	M	F	M	F															
	M	F	M	F															
	M	F	M	F															
	M	F	M	F															
APHIS FORM <small>JUL 2009</small>		INSPECTION USE ONLY		LAST INSPECTION DATE		TOTAL NUMBER/ANIMALS ENTERED SINCE LAST INSPECTION		COUNT TOTAL NUMBER ANIMALS ACTUALLY ON PREMISES		DIFFERENCE (+ OR -)		DATE		INITIALS					



Conclusion

You should now be able to:

1. Briefly describe how USDA APHIS Animal Care is organized.
2. Explain the role of Animal Care and Animal Care Inspectors in protecting the welfare of dogs in breeding operations, including enforcement of the Animal Welfare Act.
3. List and briefly describe the types of licenses available to dog breeders.
4. Describe situations in which a license is needed, or in which a facility may be exempt from licensure.
5. Apply for a license



Questions?

Acknowledgements

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