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This presentation will discuss the process involved with becoming a USDA licensed dealer.

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

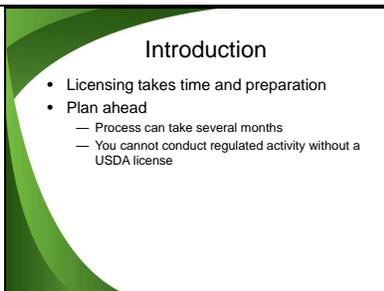
1. Describe the license application process.
2. Explain the time limits that apply to the completion of prelicense inspections.
3. Describe the prelicense inspection process and the requirements for obtaining a license.
4. Describe an applicant's responsibilities during a prelicensing inspection.
5. Explain how applicants receive prelicense inspection results.
6. Describe when a successful applicant may begin selling animals.
7. Briefly list reasons a license application could be denied.

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This section will provide an overview of the application process involved in becoming a USDA licensed facility.

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The process of becoming a USDA Licensed facility requires time and preparation. The process can take several months, depending on a variety of factors, including facility preparation, completion of paperwork and demonstration of compliance with AWA regulations.

Remember: It is the prospective licensee's responsibility to plan ahead to ensure that the license will be in place when the facility wants to begin regulated activity. When making a business plan, be sure to factor in the amount of time it will take to obtain a license.

Breeders who proactively complete applications for licensure may continue to conduct regulated activities while waiting for our inspectors to conduct the prelicensing process. If you are unclear on when you can begin conducting regulated activities, please contact the Animal Care Office covering your area.

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Request Materials

- Request information packet
 - Animal Care Office for your state
- Review requirements
- Evaluate facility for compliance with AWA standards before applying



The first step is to request licensing materials. Contact the Animal Care Office for your state to receive a precense information packet. The packet will provide information about the licensing process, required documents and fees.

Carefully review the information in the packet so you understand the requirements. If you have questions, contact the Animal Care Office for your state.

To assure you have adequate time to prepare for the precense inspection, you may wish to evaluate your facility for compliance with AWA standards and work on correcting any potentially noncompliant items before submitting the license application.

Photo: USDA APHIS

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Application

- Complete and return application to the Animal Care Office responsible for your state
- A complete application includes:
 - APHIS Form 7003-A
 - \$10 application fee
 - Taxpayer id form
- Reviewed by the Animal Care Office responsible for your state and then sent to Inspector



The application for a new license includes these steps:

- Complete and return application to the Animal Care Office responsible for your state
- A complete application includes:
 - APHIS Form 7003-A
 - \$10 application fee
 - Taxpayer ID form
- Reviewed by the Animal Care Office responsible for your state and then sent to Inspector

This form and other required forms can be downloaded at http://www.reginfo.gov/public/do/PRAViewIC?ref_nbr=201102-0579-002&icID=2101

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Precense Inspection

- Inspector will contact you to schedule the inspection
 - **Note:** Precense inspections are the only scheduled inspections
- Contact Inspector with questions
- Prepare facilities and records for inspection

The Inspector assigned to your application will review your application and contact you within 10 days of receiving the application from the Animal Care Office in your area to schedule the precense inspection. Feel free to contact the Inspector if you have any questions.

NOTE: Precense inspections are the only inspections that are scheduled with the Inspector. Once you are licensed, all other inspections will be unannounced.

Prepare your facilities and records in accordance with the Animal Welfare Act to ensure that you will pass the initial inspection.

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Time Limit

This section describes the time limits involved in the application process.

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Time Limit

90 days from Inspector's first inspection
OR
3 Inspections

The Animal Welfare Act Regulations provide that you may have three inspections within a period of 90 days from the date of the initial inspection to demonstrate compliance with the Regulations. Once an Inspector visits your facility for the initial prelicense inspection, you have 90 days from the date of the Inspector's first visit or three inspections -whichever comes first, to demonstrate compliance with the regulations.

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Example

Joe Smith applied for a Class A license for his dog kennel. He and Inspector Mary Jones have scheduled an inspection for June 1.

During the inspection Inspector Jones finds a few items not in compliance with the Animal Welfare Regulations, which she documents on an Inspection Report.

We're going to use an example to help explain the time limit rule.

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Example (cont'd)

During the inspection and Exit Briefing Inspector Jones discusses the non-compliant items with Mr. Smith. She provides him with an Inspection Report that lists the items to correct.

How long does Mr. Smith have to comply with the regulations and become licensed?

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Example (cont'd)

90 days: June 1 to August 29

June	July	August
1 2 3 4 5	1 2 3	1 2 3 4 5 6 7
6 7 8 9 10 11 12	4 5 6 7 8 9 10	8 9 10 11 12 13 14
13 14 15 16 17 18 19	11 12 13 14 15 16 17	15 16 17 18 19 20 21
20 21 22 23 24 25 26	18 19 20 21 22 23 24	22 23 24 25 26 27 28
27 28 29 30	25 26 27 28 29 30 31	29 30 31

Mr. Smith has until August 29 (90 days from June 1) to correct the noncompliant items and have the facility re-inspected. He may contact Inspector Jones at any time during that period to schedule a follow-up inspection. The inspection must be completed no later than August 29.

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Example (cont'd)

Mr. Smith reviews the items not in compliance and makes changes to his facility.

He contacts Inspector Jones and they schedule a follow-up inspection on July 31.

Mr. Smith reviews the items not in compliance and makes changes to his facility. He contacts Inspector Jones and they schedule a follow-up inspection on July 31.

A reminder about scheduling: Inspectors have facility inspections scheduled throughout their territory and may be unavailable certain dates. Contact the Inspector well in advance of the date you would like to be inspected in order to facilitate scheduling.

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Re-inspection

On July 31, Inspector Jones conducts another full inspection. Inspector Jones finds that Mr. Smith has satisfactorily addressed all the items of noncompliance except one. She discusses the item with Mr. Smith and provides him with an Inspection Report.

Next we will discuss three possible outcomes to this scenario

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Outcome 1

Mr. Smith reviews the inspection report and makes the required changes. He contacts Inspector Jones and schedules a third inspection for August 20.

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Outcome 1 (cont'd)

On August 20, Inspector Jones inspects the facility and finds it in compliance with the AWA. Inspector Jones sends the pre licensing report to the office responsible for Mr. Smith's state. The office requests Mr. Smith send the appropriate annual fees. Once the office receives the appropriate fees, a license number is created and correspondence sent to Mr. Smith. Mr. Smith receives his paper license certificate in the mail and may begin selling puppies.

If you are unclear on when you can begin conducting regulated activities, please contact the Animal Care Office covering your area.

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Outcome 2

Mr. Smith reviews the inspection report and attempts to make the required changes. He contacts Inspector Jones and schedules a third inspection for August 20.

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Outcome 2 (cont'd)

On August 20, Inspector Jones conducts the third inspection. Inspector Jones finds that Mr. Smith has not adequately addressed the item of noncompliance. Mr. Jones' license application is canceled.

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Explanation

- Three prelicense inspections:
 - June 1, July 31, August 20
- Not in compliance after 3 inspections
- Application canceled
- Can reapply after 6 months

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Outcome 3

Mr. Smith reviews the inspection report and makes changes to his facility. He contacts Inspector Jones on September 2 to schedule an inspection.

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Outcome 3 (cont'd)

- Inspector Jones informs Mr. Smith that his application is canceled because more than 90 days have passed since the first inspection:
 - June 1 to Sept 2 = 94 days
- Will receive letter from the office responsible from the state.
- May reapply after 6 months.

More than 90 days have elapsed since Inspector Jones' first inspection visit to the facility. The regulations state that the prelicense inspection process must be completed within 90 days of the initial inspection, or three inspections, whichever happens first. The office responsible for Mr. Smith's state will send Mr. Smith an official letter notifying him that the 90 period has expired.

Mr. Smith may apply again for a license, but he must wait 6 months before submitting a new application.

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Prelicense Inspection

This section will discuss the prelicense inspection process.

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Prepare for Inspection

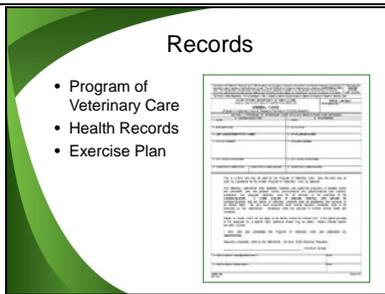
- Must demonstrate compliance with AWA to be licensed
- Animal Welfare Act Regulations
 - License requirements
 - Housing
 - Welfare
 - Care



Knowing and understanding the regulatory standards and making sure your facility complies with the standards is the best way to prepare for the inspection. During the prelicense inspection the Inspector will inspect the facility to determine whether it meets the requirements of the AWA.

The prelicensing information packet from USDA APHIS Animal Care contains a copy of the Animal Welfare Act regulations, a checklist and other materials describing licensing requirements. The regulations describe the minimum requirements for housing, care and welfare of animals at your facility.

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Keeping accurate and up to date records are an important part of compliance. Applicants are expected to present properly completed records for the Inspector’s review. The required records include:

Program of Veterinary Care – All facilities must have a written plan of veterinary care that has been approved and signed by your Attending Veterinarian. No particular form is required; however, APHIS Form 7002 was designed to include all the regulatory requirements. APHIS Form 7002 or another form may be used as long as all the required information is contained on that form. A copy of APHIS Form 7002 is included in the precicensing materials packet.

This form and other required forms can be downloaded at http://www.reginfo.gov/public/do/PRAViewIC?ref_nbr=201102-0579-002&icID=2101

Exercise Plan- A written exercise plan approved by the attending veterinarian is required. No particular form is required.

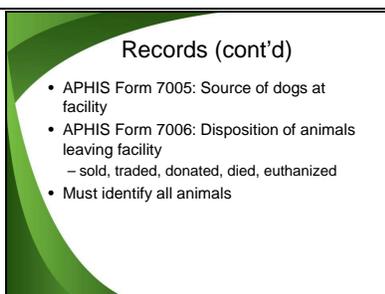
These records are **not** specifically required by the AWA regulations and standards, **except** for marine mammals. Therefore, a lack of any of these records or inadequacy of these records may **not** be cited as a stand-alone non-compliance, **except** for marine mammals, but may be cited in conjunction with a related noncompliance identified. If unsure, check with the Animal Care Office covering your state.

Recommended Records

When applicable, a licensee should maintain health records as a part of good animal husbandry practices.

Health Records – Health records are needed to convey necessary information to all people involved in an animal’s care. Every facility should have a system of health records sufficiently comprehensive to demonstrate the delivery of adequate health care.

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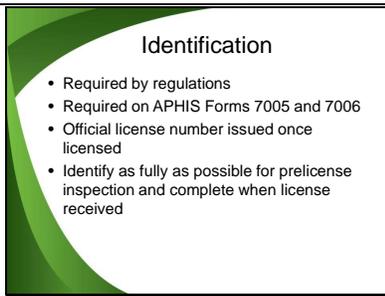


APHIS Form 7005: Acquisition of Dogs and Cats on Hand – Record information about how all dogs at the facility were acquired. This form is required for all facilities and must be used unless the licensee can show that the form will not work for the operation. The Animal Care Office must approve the use of a different form or a computerized system of records. Submit requests for approval of different recordkeeping systems to the Animal Care Office covering your state prior to submitting the license application and scheduling the first precense inspection in order to allow enough time for evaluation of the request.

APHIS Form 7006: Disposition of Dogs and Cats on Hand – Use this form to record information when dogs leave the facility. Reasons could be that the dog is sold, traded, donated, died or euthanized. This form is required for all facilities. Use of a different form or computerized form requires approval from the Animal Care Office. Follow the procedure listed above for Form 7005 to request approval for use of different forms.

The regulations and these forms require that the dogs be identified with a USDA number, USDA approved tattoo or microchip.

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Identification

- Required by regulations
- Required on APHIS Forms 7005 and 7006
- Official license number issued once licensed
- Identify as fully as possible for precense inspection and complete when license received

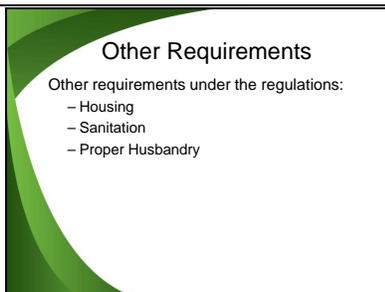
Identification of animals – The regulations require animals to be identified by wearing a collar with a tag including their USDA number, a tattoo or a microchip. Animals must be identified. Identification information must be correctly entered on to APHIS Forms 7005 and 7006. Failure to correctly enter identification information is considered an item of noncompliance.

NOTE: The regulations **and policies** require animals to be identified by wearing a collar with a tag including their USDA number, a tattoo or a microchip.

This information must be recorded on Forms 7005 and 7006. Since USDA license numbers will not be issued to an applicant until a license is granted, applicants should identify the animals as fully as possible on the forms. If using collars and tags, the applicant can wait to fill in the tag numbers after issuance of the license number once official tags are purchased.

The forms and additional information on completing the forms is found in the precensing information packet. This will also be discussed in more detail later in another section of this presentation. At this point, are there any questions about completing these documents?

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Other Requirements

Other requirements under the regulations:

- Housing
- Sanitation
- Proper Husbandry

Applicants will also be required to demonstrate compliance with the regulations governing things such as housing, sanitation, proper husbandry and identification of animals. These items are discussed more fully in other sections of this presentation. Ask the Inspector if you have questions related to these topics.

The Inspection

Among other things, the Inspector will:

- Review the application
- Provide an educational presentation
- Inspect all animals and facilities
- Take photos, videos, and notes of the facility
- Discuss husbandry, veterinary care, exercise plans, and animal identification requirements
- Identify any non-compliant items
- Answer questions



On the day of the prelicense inspection, the Inspector will arrive at the facility at the designated time. The Inspector will identify him/herself and present identification upon request. The Inspector will ask the applicant or a designated representative to show him/her around the facility and provide records for review.

Among other things, the Inspector will:

- Review and verify the information on the application
- Provide an educational presentation
- Inspect the animals and facilities
- The Inspector will ask to have animals brought out of their enclosure for inspection. The Inspector may conduct a hands-on examination of the animals.
- May take photos or video of the facility
- Make notes during the inspection. These notes may be about non-complaint items, further questions or comments about the facility
- Ask questions about the animals and the facilities
- Discuss general husbandry practices
- Discuss veterinary care and exercise plans
- Examine records
- Discuss identification of dogs/cats- requirements
- Identify and discuss any noncompliant items
- Answer questions

Photo: A. Eaglin: USDA APHIS

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Applicant Responsibilities

- Applicant or designee available during inspection
 - 18 years old or older
 - Knowledgeable about operation
- Provide access to animals, facility and records
- Answer questions
- Be courteous

The applicant or a designee must be present during the inspection. If the applicant cannot be present for the inspection, make sure the designee is at least 18 years old, knowledgeable about the operation and can provide the Inspector with access to the facility and records that are necessary to complete the inspection.

Be prepared to provide the Inspector access to all areas where animals are housed and handled, present individual animals to the Inspector, produce the required records, and answer questions related to the animals, the facility and husbandry practices and procedures. Applicants and licensees must provide a table or other facility on the property where the Inspector can review facility records and inspect the animals.

The preclicensing inspection is an excellent time to ask questions about the regulatory requirements, the licensing and inspection processes or anything else associated with being a licensee under the AWA. Inspectors visit many different facilities and have information and training and experience in animal welfare and regulatory requirements. You are encouraged to ask questions and learn from the Inspector.

Be courteous to the Inspector. Inspectors are there to assure that the animals are treated within the welfare standards enacted by Congress. Healthy and well-cared-for animals are a positive reflection on your business. Animal welfare inspections can help licensees achieve the goal of providing the healthiest animals possible to clients.

It is illegal to interfere with an inspection or threaten, abuse (verbally or physically) or harass Inspectors as they carry out their official duties. 9 CFR 2.4

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How Long Will it Take?

- Depends on a variety of factors:
 - Facility size
 - Number of animals
 - Facility type
 - Number of records
- Be prepared and organized

It is difficult to estimate how long an inspection will take. The length of an inspection depends on the size of the facility, number of animals, type of facility, number of records and a variety of other factors. Be sure to allot adequate time for the inspection.

Being prepared and organized will help the inspection go faster.

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Inspection Results

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Exit Briefing

- Review inspection report
- Discuss any noncompliant items
- Answer questions
- Obtain signature



Following the completion of the inspection, the Inspector will meet with the applicant or designee to conduct an exit briefing. The Inspector will:

- Summarize inspection findings
- Discuss any noncompliant items
- Answer questions about noncompliant items or other issues

The Inspector will ask you to sign the Inspection Report. Your signature on the report means that you have seen the report and discussed the findings with the Inspector. Signing the report does not mean you agree with or accept the findings in the report.

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Passing the Inspection

- No noncompliant items
- Eligible for a license
- Exit briefing
 - Discuss inspection and enforcement process
 - Obtain additional contact information
 - Public access to inspection reports
- Office responsible for your state will contact you regarding fees

If there are no noncompliant items on the inspection, you will be eligible for a license. During the exit briefing the Inspector will:

- Summarize what occurred during the inspection
- Explain APHIS' inspection and enforcement processes
- Obtain information about the applicant's schedule and additional contact information: phone numbers and contacts if applicant is not at the facility
- Explain the availability of public access to inspection reports – on-line through Freedom of Information Act

The inspector will not discuss or collect any fees. The office responsible for your state will contact you regarding fees.

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Noncompliant Inspection

- Noncompliant items
- License Application not approved
 - Discuss all noncompliant items
 - Explain the 3 inspection/90 day rule
 - Discuss completion date/scheduling
 - No regulated activities may be conducted
 - Provide a written report

If the Inspector finds noncompliant items during the precense inspection, a license will not be issued. The Inspector will:

- Summarize what occurred during the inspection
- Discuss in detail the noncompliant items and provide citations to the sections of the regulations setting forth the requirements
- Explain the 3 inspection/90 day rule
- Set a date for completion of the application process – number of remaining inspections or by a date (90 days from 1st precense inspection)
- Inform the applicant that no regulated activities may be conducted until a license is issued
- Provide you with a written report

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Denial of Application

Initial application may be denied due to:

- Noncompliance with Animal Welfare Act
- Interference with inspection
- Fail to pay fee
- Incomplete application
- Had a license revoked or suspended
- Violation of animal cruelty laws or regulations within 1 year of application
- Operates in violation of State, federal or local law
- False or fraudulent statements or false or fraudulent records

There are number of reasons an initial license application will be denied, including:

- Fails to demonstrate compliance with the Animal Welfare Act and Regulations within the time allotted. (90 days or 3 inspections)
- Fails to submit a properly completed application
- Fails to acknowledge receipt of the Act and Regulations
- Does not comply with Act or Regulations
- Interferes with inspection or threatens or abuses inspector
- Fails to pay the required fee
- Has had a license revoked or suspended under 2.10
- Has pleaded *nolo contendere* or been found in violation of State, Federal or local laws or regulations related to animal cruelty with in 1 year of application
- Would be unfit for licensure in the Administrator's determination
- Operates in violation, or circumvention or State, federal or local law
- Makes false or fraudulent statements, or provides false or fraudulent records

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Conclusion

You should now be able to:

1. Describe how to apply for a license
2. Describe precense inspection process
3. Explain time limits that apply to precense inspections
4. Describe an applicant's responsibilities
5. Explain how inspection results are received
6. Describe when a new licensee may begin to sell animals
7. Explain why an application might be denied

This presentation provided a brief overview of the process involved in becoming a licensed commercial dog breeder under the AWA.

You should now be able to:

1. Describe the process for applying for a license.
2. Describe the precense inspection process and the requirements for obtaining a license.
3. Explain the time limits that apply to the completion of precense inspections.
4. Describe your responsibilities as an applicant during a precensing inspection.
5. Explain how applicants receive the results of their inspections.
6. Describe when a successful applicant may begin selling animals.
7. Explain why a license application might be denied.

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Questions?

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Acknowledgments

This presentation was prepared by the Center for Food Security and Public Health, Iowa State University through a cooperative agreement with USDA APHIS Animal Care.

