

<p>RANDOM SOURCE DOG AND CAT DEALER INSPECTION</p>	<p>Only a class “B” dealer may acquire random source dogs & cats for resale. [2.132]</p>
<p>Definition</p>	<p>Random source means dogs and cats obtained from animal pounds or shelters, auction sales, or from any person who did not breed and raise them on his/her premises.</p>
<p>Procurement</p>	<p>Acceptable Sources A class “B” dealer may obtain live random source dogs/cats only from the following sources:</p> <ul style="list-style-type: none"> • other USDA licensed dealers [2.132(a)(1)] • State, county, or city owned and operated animal pounds or shelters [2.132(a)(2)] • humane groups and contract pounds organized as legal entities under the laws of their State [2.132(a)(3)] <p>A class “B” dealer may obtain non-random source dogs/cats from persons who have bred and raised the dog/cat on their own premises.</p> <p>Unacceptable Sources A class “B” dealer may not obtain dogs/cats:</p> <ul style="list-style-type: none"> • from a person who did not breed and raise the animal on his/her premises [2.132(b)] • by use of false pretenses, misrepresentation, or deception [2.132(d)]
<p>Holding Period</p>	<p>Pounds, Shelters, and Research Facilities Random source dogs/cats must be held for a period of not less than 5 full days, including a Saturday, but not including the day of acquisition and transit time, by the following entities: [2.101]</p> <ul style="list-style-type: none"> • pound/shelter owned and operated by a State, county or city • privately owned pound/shelter, such as a humane society, that is under contract with a State, county or city • research facility licensed as a dealer

Licensed “B” Dealer Live dogs and cats must be held by the dealer for the following time periods: [2.101]		
IF the source is	AND the dog/cat’s age is	THEN the holding period is
a private pound, contract pound or shelter	any age	10 full days, not including the day of acquisition and the time in transit [2.101(a)(1)]
a state, city, or county operated pound or shelter	any age	5 full days, not including the day of acquisition and the time in transit [2.101(a)]
a private individual who bred and raised the dog/cat on his/her premise	≤ 120 days	24 hours, not including the time in transit [2.101(a)(4)]
a private individual who bred and raised the dog/cat on his/her premise	> 120 days	5 full days, not including the day of acquisition and the time in transit [2.101(a)]
another USDA licensed dealer or exhibitor who has already held the dog/cat for the required holding period	any age	24 hours, not including the time in transit [2.101(a)(2)]
another USDA licensed dealer or exhibitor who has not held the dog/cat for the required holding period	any age	5 full days, not including the day of acquisition and the time in transit [2.101(a)]
≤ = less than or equal to > = greater than		

Records

Records of **all** dogs and cats must contain the following information: [2.75]

- name and complete address of the seller, buyer or person to whom the animal is given [2.75(a)(1)(i)]
- USDA license or registration number if seller/buyer/donee is USDA licensed or registered [2.75(a)(1)(ii)]
- vehicle license number and driver's license number and state of issuance of each if seller/buyer/donee is **not** USDA licensed or registered [2.75(a)(1)(iii)]
- date animal was acquired [2.75(a)(1)(v)]
- date animal was disposed of, including euthanasia [2.75(a)(1)(v)]
- official USDA tag or tattoo number [2.75(a)(1)(vi)]
- a description of each animal including: [2.75(a)(1)(vii)]
 - ▶ the species and breed or type
 - ▶ the sex
 - ▶ date of birth or approximate age
 - ▶ the color and any distinctive markings

Records must be made, kept and maintained on APHIS Form 7005-Record of Acquisition and Dogs and Cats on Hand and APHIS Form 7006 - Record of Disposition of Dogs and Cats. [2.75(2)]

Exception:

A dealer who uses a computerized record keeping system may request a variance from the requirement to use APHIS Forms 7005 and 7006. [2.75(a)(2)(i)]

The variance request must:[2.75(a)(2)(i)]

- be in writing
- explain why the APHIS Form 7005/7006 is unsuitable to use
- contain a description and sample of the computerized record keeping system to be used
- be sent to the appropriate Animal Care Regional Office

If the variance is denied, the dealer may request a hearing for the purpose of showing why the variance should not be denied.

The denial of the variance remains in effect until the final legal decision is rendered.

	<p>Records Holding Period Records must be held for inspection for 1 year after an animal is disposed of or euthanized.[2.80(a)]</p> <p>Records must be kept and maintained for more than 1 year if: [2.80(b)]</p> <ul style="list-style-type: none">• necessary to comply with any applicable Federal, State, or local law• APHIS Administrator notifies the dealer in writing that specified records must be retained pending completion of an investigation
<p>Special Circumstance</p>	<p><i>A dealer who operates a private or contract pound or shelter</i> must comply with the following:</p> <p>Facility:</p> <ul style="list-style-type: none">• pound/shelter must be physically separated from the licensed facility [2.132(e)(1)] AND• pound/shelter animal housing facility must not be adjacent to the licensed facility, i.e., no common walls [2.132(e)(1)] <p>Records:</p> <ul style="list-style-type: none">• accurate and complete records must be separately maintained in accordance with Sections 2.75 and 2.76, unless the animals are lost or stray [2.132(e)(2)]• for lost or stray animals, the pound/shelter records must provide the following information:<ul style="list-style-type: none">▶ an accurate description of the animal [2.132(e)(2)(i)]▶ how, where, when, and from whom the animal was obtained [2.132(e)(2)(ii)] <p>Transferring the dog/cat to the “B” dealership:</p> <ul style="list-style-type: none">• Animal must be held for 10 full days, not including day of acquisition and time in transit [2.101(a)(1)]• Record of animal must contain all of the information listed above AND<ul style="list-style-type: none">▶ how long the animal had been at the pound/shelter before transfer to the dealer’s licensed facility [2.132(e)(2)(iii)]▶ the date the animal was transferred to the dealer’s licensed facility [2.132(e)(2)(iv)]

CERTIFICATION

A dealer must provide the recipient of a random source dog and/or cat certification that contains all the information required by the regulations. [2.133]

Certification for a random source dog/cat must contain the following information: [2.133(b)]

- name, complete address, USDA license number and signature of the dealer [2.133(b)(1)]
- name, complete address, USDA license or registration number, if applicable, and signature of the recipient [2.133(b)(2)]
- a description of each animal which includes: [2.133(b)(3)]
 - ▶ species and breed or type (for mixed breeds, estimate the two dominant breeds/types) [2.133(b)(3)(i)]
 - ▶ the sex [2.133(b)(3)(ii)]
 - ▶ date of birth or approximate age [2.133(b)(3)(iii)]
 - ▶ color and any distinctive markings [2.133(b)(3)(iv)]
 - ▶ official USDA-approved identification number

NOTE: If the description information is provided by a prior dealer and attached to the certification, then only the official ID number is required. [2.133(b)(3)(v)]

- name and complete address of the person, pound or shelter from which the animal was acquired [2.133(b)(4)]
- an assurance that the person, pound or shelter was notified that the animal might be used for research or educational purposes [2.133(b)(4)]
- date dealer acquired the dog/cat [2.133(b)(5)]
- if dog/cat acquired from a pound/shelter or research facility, a signed statement that the pound or shelter held the animal for the required 5 days [2.133(b)(6)]

NOTE: This statement:

- ▶ must describe the animal by its USDA ID number
- ▶ may be incorporated into the dealer certification at the time of acquisition OR
- ▶ made separately and attached to the certification later. If made separately, it must include a description of the animal as required in the certification. A photocopy is regarded as a duplicate original.

The original certification must accompany the shipment of any random source dog/cat. [2.133(c)]

A dealer who obtains a random source dog/cat from another dealer must obtain and attach the original certification to the certification which he/she provides to the recipient of the animal. [2.133(d)]

A dealer must keep, maintain and make available for APHIS inspection a copy of the certification for at least one year following disposition of the animal. [2.133(e)]
