

The U.S. Department of Agriculture (USDA) enforces the Animal Welfare Act (AWA) to protect certain animals from inhumane treatment and neglect. Congress passed the AWA in 1966 in response to public concern regarding stolen pets used in laboratory research. Since 1966, the AWA has been strengthened several times by amendments. The Animal Care (AC) program of USDA's Animal and Plant Health Inspection Service (APHIS) administers the AWA, its regulations, and standards.

The Law

The AWA requires that minimum standards of care and treatment be provided for certain animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Individuals who operate facilities using animals in these ways must provide their animals with adequate housing, handling, sanitation, nutrition, water, veterinary care, and protection from extreme weather and temperatures.



The Animal Welfare Act protects warmblooded animals used in specific activities, like this seal on display in a marine-mammals exhibit at the National Zoo.

The Definition of "Animal"

The AWA defines "animal" as any live or dead dog, cat, nonhuman primate, guinea pig, hamster, rabbit, or any warmblooded animal used for research, teaching, testing, experimentation, or exhibition purposes, or as a pet. By definition, coldblooded species (amphibians and reptiles) are exempt from coverage under the AWA. The AWA further excludes the following:

- Birds, rats of the genus *Rattus*, and mice of the genus *Mus*, bred for use in research;
- Horses not used for research purposes;
- Farm animals, including livestock and poultry, used or intended for use as food or fiber or in agricultural research;
- Fish; and
- Invertebrates (crustaceans, insects).

Covered Activity

The AWA requires that all individuals or businesses using animals covered under the law be licensed or registered with AC. Certain activities and businesses are not covered under the AWA: pet stores, retail dog and cat sales, hobby breeders, and private owners of exotic pets. In addition, the AWA prohibits staged dogfights, cock fights, and similar animal-fighting ventures.

Research Facilities

Research facilities are those that use animals for teaching, experimentation, surgery, or testing purposes. Examples of research facilities include hospitals, colleges and universities, and pharmaceutical firms.

The AWA requires researchers to provide anesthesia or pain-relieving medication to minimize the pain or distress caused by an experiment, unless otherwise



Humane care and treatment of research animals are important aspects of the AWA.

scientifically justified. The AWA does not allow AC to prevent the use of animals in research or experimentation, however.

Dealers

People who sell animals bred at their facility (a class "A" licensee) or people who buy and sell animals they did not raise (a class "B" licensee) are both considered dealers under the AWA. Examples of dealers include commercial dog-breeding facilities and exotic animal auctions.

Exhibitors

A person or business that displays animals to the public is an exhibitor under the AWA. Examples of exhibitors include zoos, educational displays, circuses, and animal acts.

Transporters

A person with a commercial business that moves animals from one location to another is considered a transporter under the AWA. Examples of transporters include airlines and trucking companies.



Dealers that breed animals for sale to pet stores must be in compliance with AWA regulations.



Exhibitors' facilities, such as zoos, circuses, and aquariums, are all inspected by Animal Care.



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The Animal Welfare Act: An Overview



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Cover photo: Nonhuman primates in captivity, like this gorilla from the National Zoo in Washington, DC, are protected under the Animal Welfare Act whether they are used for exhibition or research purposes.

Photo credits: The photographs of the cat and the caged rabbits come from APHIS' image library. All the remaining pictures were taken by APHIS photographer R. Anson Eaglin.

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AWA Enforcement

AC ensures that all regulated commercial animal dealers, transportation companies, exhibitors, and research facilities are licensed or registered. AC inspectors conduct searches to identify unlicensed or unregistered facilities. Once they have been notified of AWA requirements and standards, these facilities must become licensed or cease conducting regulated activity. Applicants must be in compliance with all standards and regulations under the AWA before AC will issue a license. Upon request, AC personnel will perform preinspection examinations of facilities applying to be licensed or registered.

To ensure that all licensed and registered facilities comply with the AWA, AC personnel make unannounced inspections. If an inspection reveals deficiencies in meeting the AWA standards and these are not corrected promptly, AC may initiate legal action. This could result in animal confiscation, fines, cease-and-desist orders, or license suspensions and revocations.

Public Relations

USDA is committed to its responsibilities and to meeting public expectations in enforcing the AWA. In addition to conducting routine, unannounced



The commercial transport of animals is regulated to ensure careful handling and safe travel.

inspections, AC will perform inspections in response to public concerns about the conditions of regulated facilities. Individuals are also encouraged to inform AC about facilities that should be licensed or registered.

Many State and local governments have passed their own animal welfare legislation. USDA encourages the public to work with State and local officials and local humane organizations as well as Federal officials to help reduce inhumane treatment of animals.

AC seeks to educate the public and create a cooperative relationship with licensed and registered entities, the animal protection community, and other Federal and State agencies. To accomplish this goal, AC conducts workshops regarding minimum care standards as outlined in the AWA. Examples include APHIS' canine care workshops and big cat symposiums.

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