

Introductory Course for Commercial Dog Breeders

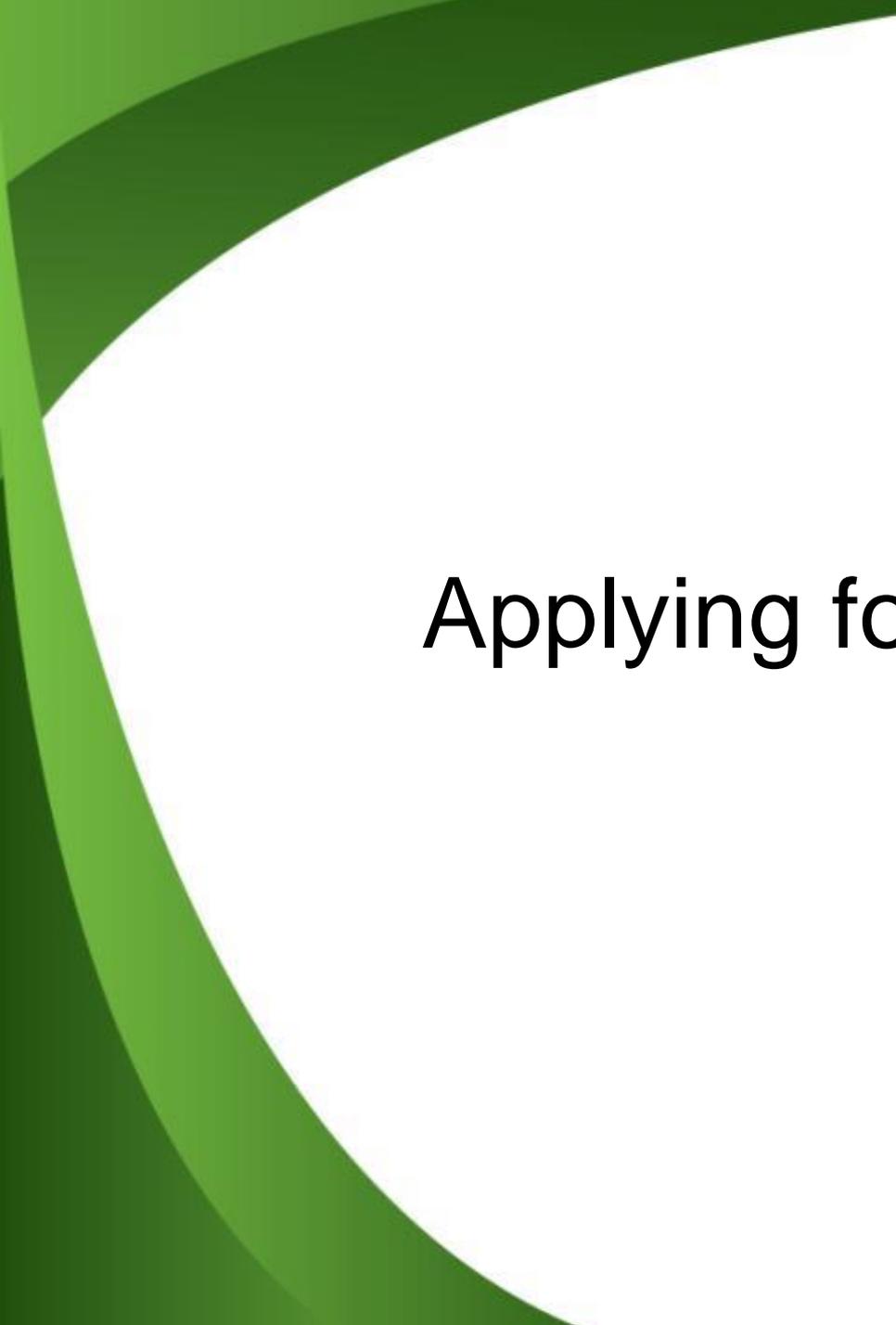
Part 2: The Licensing Process



Learning Objectives

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

1. License Application Process
2. Time limits for prelicense inspections
3. Prelicense inspection process and licensing requirements
4. Applicant's responsibilities during inspection
5. Prelicense inspection results
6. When sales are permitted
7. Reasons an application could be denied



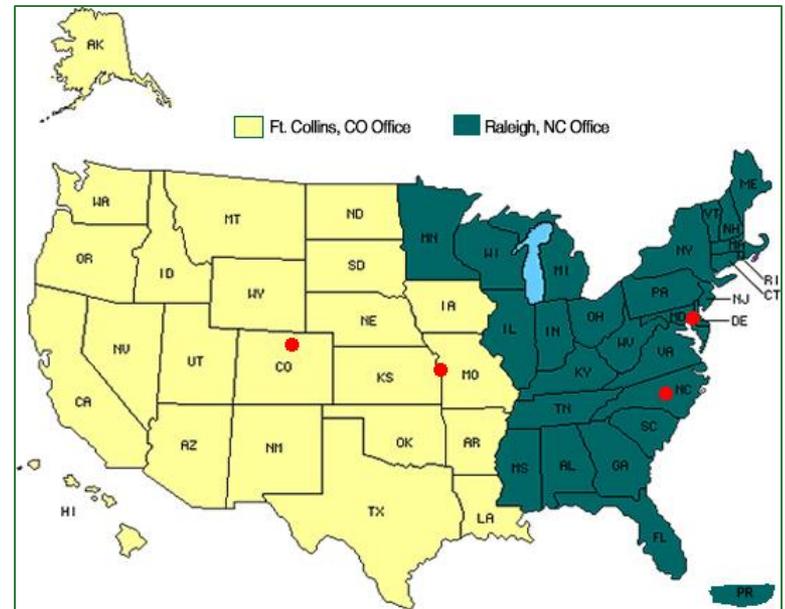
Applying for a License

Introduction

- Licensing takes time and preparation
- Plan ahead
 - Process can take several months
 - You cannot conduct regulated activity without a USDA license

Request Materials

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



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

Printing in the Federal Register List of Rule Making may be viewed on-line and a person is not required to register to view information unless it is a fee application. The fee schedule is available on the APHIS website. The fee schedule is available on the APHIS website. The fee schedule is available on the APHIS website. The fee schedule is available on the APHIS website.

**UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE**

**APPLICATION FOR LICENSE
(TYPE OR PRINT)
NEW LICENSE**

DO NOT USE THIS SPACE - OFFICIAL USE ONLY

SEND THE COMPLETED FORM TO:

OFFICE SYMBOL NUMBER	EXPIRATION DATE	AMOUNT	DATE RECEIVED

1. NAME OF APPLICANT (AND MAILING ADDRESS) (See instructions)

2. ALL BUSINESS IN A NEW LOCATION (ADDRESS AND CITY/STATE/ZIP) INCLUDE DIRECTION TO EACH LOCATION (P.O. Box/Postage/Box) Use additional sheet (see Pre-essay)

COUNTY: TELEPHONE NUMBER: COUNTY: TELEPHONE NUMBER:

3. IF THE APPLICANT IS A CORPORATION, PARTNERSHIP OR OTHER BUSINESS ENTITY, LIST THE ENTITY'S PARTNER OR OFFICER AND AGENT FOR SERVICE OF PROCESS.

4. (A) PREVIOUS USDA LICENSE NUMBER (FAX):

(B) ACTIVE USDA LICENSE NUMBER IN WHICH YOU HAVE AN INTEREST:

5. TYPE OF LICENSE:

Class A - Breeder Class B - Dealer Class C - Exhibitor

6. LIST YOUR 12 MONTH BUSINESS YEAR (calendar or fiscal)

7. TYPE OF ORGANIZATION:

Individual Corporation Partnership Other

8. OWNER ONLY - CLASS FOR CLASS B LICENSES (SEE INSTRUCTIONS FOR THIS LICENSE) (Class C license see class C)

9. LICENSEE ONLY (BY THE LICENSEE/ISSUING OFFICE) - FILL THIS COLUMN OFF, DESKTOP, PAPER, OR POUCH (AT ANY ONE TIME DURING THE APPLICABLE BUSINESS YEAR, SEE CLASS C AND D)

CLASS A BREEDER - USE OF USE C	CLASS B DEALER - USE OF USE C	CLASS C	CLASS D	CLASS E	CLASS F	CLASS G	CLASS H	CLASS I	CLASS J	CLASS K	CLASS L	CLASS M	CLASS N	CLASS O	CLASS P	CLASS Q	CLASS R	CLASS S	CLASS T	CLASS U	CLASS V	CLASS W	CLASS X	CLASS Y	CLASS Z

A. ESTIMATE TOTAL NUMBER OF ANIMALS TO BE PURCHASED IN THE NEXT BUSINESS YEAR

B. ESTIMATE TOTAL NUMBER OF ANIMALS TO BE SOLD IN THE NEXT BUSINESS YEAR

C. ESTIMATE GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, COMMISSIONS, ETC.)

D. ESTIMATE DOLLAR AMOUNT ON WHICH FEES ARE BASED

CERTIFICATION

I hereby make application for a license under the Animal Welfare Act (U.S.C. 2161) and 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 conditions in 9 CFR, Subpart A, Parts 1.1, 1.2 and 1.3, and I certify that the applicant is 18 years of age or older.

TELE SIGNATURE: TELE SIGNATURE TITLE: TELE DATE:

APHS FORM 7003-A (Previous editions are obsolete) (Previous editions are obsolete)

Prelicense Inspection

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



Time Limit

Time Limit

90 days from Inspector's first inspection

OR

3 Inspections

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.

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?

Example (cont'd)

90 days: June 1 to August 29

June						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		①	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
②	30	31				

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.

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.

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.

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.

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.

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.

Explanation

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

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.

Outcome 3 (cont'd)

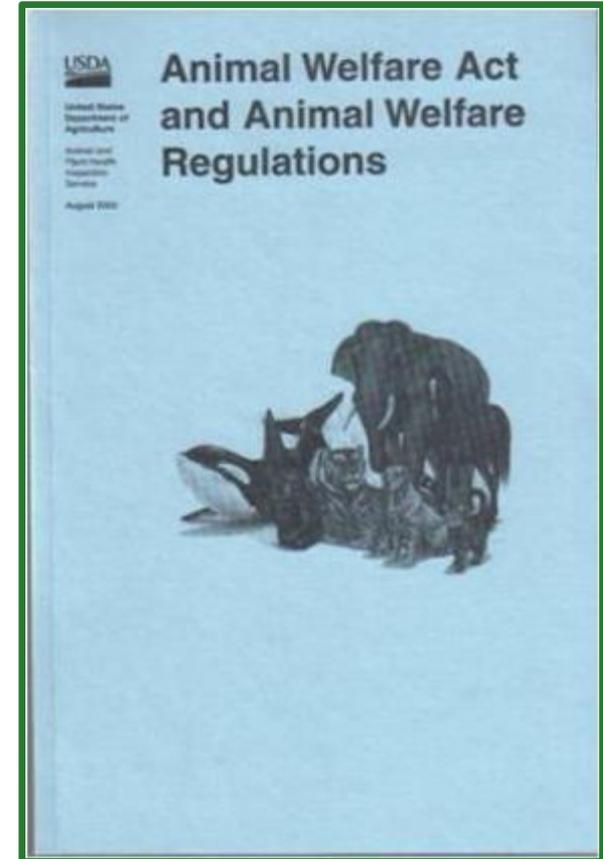
- Inspector Jones informs Mr. Smith that his application is canceled because more than 90 days have passed since the first inspection:
 - June 1 to Sept 2 = 94 days
- Will receive letter from the office responsible from the state.
- May reapply after 6 months.



Prelicense Inspection

Prepare for Inspection

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



Records

- Program of Veterinary Care
- Health Records
- Exercise Plan

<small>According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control numbers for these information collections are 0519-0026 and 0519-0028. The time required to complete these information collections is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.</small>		<small>OMB Approved 0519-0026 0519-0028 EOP: 30000000</small>
<small>The Animal Welfare Regulations, Title 9, Subchapter A, Part 1, Subpart C, Section 232 and Subpart D, Section 2.42 require a Program of Veterinary Care.</small>		
UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE ANIMAL CARE (Program of Veterinary Care for Research Facilities or Exhibitors/Dealers)		OFFICE USE ONLY DATE RECEIVED:
SECTION 1.A PROGRAM OF VETERINARY CARE (PVC) HAS BEEN ESTABLISHED BETWEEN:		
A. LICENSEE/REGISTRANT		
B. VETERINARIAN		
1. NAME:	1. NAME:	
2. BUSINESS NAME:	2. CLINIC NAME:	
3. USDA LICENSE/REGISTRATION NUMBER:	3. STATE LICENSE NUMBER:	
4. MAILING ADDRESS:	4. BUSINESS ADDRESS:	
5. CITY, STATE, AND ZIP CODE:	5. CITY, STATE, AND ZIP CODE:	
6. TELEPHONE NUMBER (Home):	7. TELEPHONE NUMBER (Business):	8. TELEPHONE NUMBER (Business):
<p>This is a form that may be used for the Program of Veterinary Care. Also, this form may be used as a guideline for the written Program of Veterinary Care, as required.</p> <p>The attending veterinarian shall establish, maintain, and supervise programs of disease control and prevention, pest and parasite control, pre-procedural and post-procedural care, nutrition, euthanasia, and adequate veterinary care for all animals on the premises of the licensee/registrator. A written program of adequate veterinary care between the licensee/registrator and the doctor of veterinary medicine shall be established and reviewed on an annual basis. By law, such programs must include regularly scheduled visits to the premises by the veterinarian. Scheduled visits are required to monitor animal health and husbandry.</p> <p>Pages or blocks which do not apply to the facility should be marked N/A. If the space provided is not adequate for a specific topic, additional sheets may be added. Please Indicate Section and Item Number.</p> <p>I have read and completed this Program of Veterinary Care, and understand my responsibilities.</p> <p>Regularly scheduled visits by the veterinarian will occur at the following frequency: _____ (minimum annual).</p>		
C. SIGNATURE OF LICENSEE/REGISTRANT:		DATE:
D. SIGNATURE OF VETERINARIAN:		DATE:
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Records (cont'd)

- APHIS Form 7005: Source of dogs at facility
- APHIS Form 7006: Disposition of animals leaving facility
 - sold, traded, donated, died, euthanized
- Must identify all animals

Identification

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

Other Requirements

Other requirements under the regulations:

- Housing
- Sanitation
- Proper Husbandry

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



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

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



Inspection Results

Exit Briefing

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



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

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

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

Conclusion

You should now be able to:

1. Describe how to apply for a license
2. Describe prelicense inspection process
3. Explain time limits that apply to prelicense 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



Questions?

Acknowledgments

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