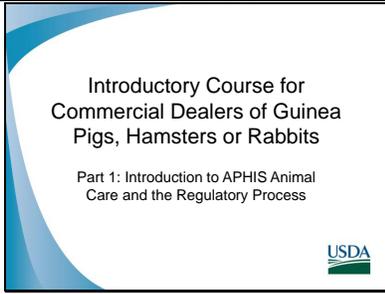


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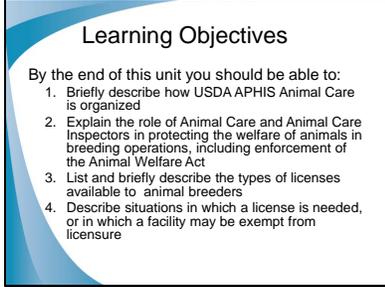
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This presentation will discuss the process involved in becoming a USDA licensed dealer.

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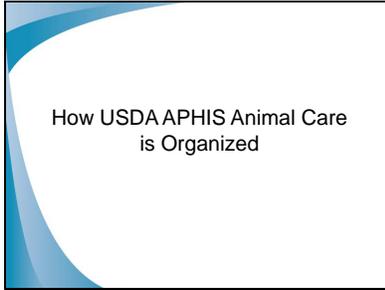


By the end of this unit you should be able to:

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 animals in breeding operations, including enforcement of the Animal Welfare Act
3. List and briefly describe the types of licenses available to animal breeders
4. Describe situations in which a license is needed, or in which a facility may be exempt from licensure

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This section will provide an overview of Animal Care's role in regulating animal welfare. First, we will start with a brief overview of where Animal Care fits in the federal government and then we'll talk about the Animal Welfare Act (AWA) and Animal Care's role in overseeing the provisions of the AWA.

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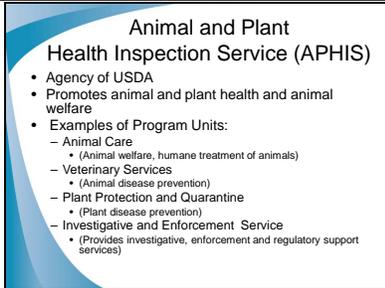
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Animal Care is part of the United States Department of Agriculture, which is part of the Executive Branch of the federal government. The executive branch enforces the laws made by Congress. USDA's mission is to protect and promote food, agriculture, natural resources and related issues. The USDA is a large agency and is responsible for a lot of things, a few of which are listed on this slide: Animal Welfare, Animal and Plant Health, Food inspection and food safety, Nutrition programs such as WIC and SNAP programs, price supports and loans for farmers, and the U.S. Forest Service.

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USDA is organized into several agencies. Animal Care is part of the Animal and Plant Health Inspection Service (APHIS), the agency which protects and promotes animal and plant health, and administers the Animal Welfare Act. APHIS has a number of program units, some of these include:
Animal Care (animal welfare, humane treatment of animals)
Veterinary Services (animal disease prevention)
Plant Protection and Quarantine (plant disease prevention)
Investigative and Enforcement Service (investigation of persons who may have broken animal welfare laws and legal actions when necessary)

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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 is the part of APHIS responsible for promoting and enforcing animal welfare standards, providing guidance and leadership on issues involving the safety and management of pets and other regulated animals during disasters, and serving as a federal resource on animal welfare issues.

Sources:

<http://www.aphis.usda.gov/wps/portal/aphis/ourfocus/animalwelfare>

USDA Animal Care is responsible for upholding and enforcing the Animal Welfare Act and the Horse Protection Act. The Animal Welfare Act and its associated regulations require that federally established standards of care and treatment be provided for certain warm-blooded animals bred for commercial sale, used in research, transported commercially or exhibited to the public. The Center for Animal Welfare collaborates with other animal welfare entities to play a central role in USDA's efforts to: build partnerships domestically and internationally; improve regulatory practices; and reach beyond USDA's traditional enforcement role to develop outreach, training and educational resources.

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Animal Care: Roles

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

Animal Care enforces:
The Horse Protection Act (HPA)
The Animal Welfare Act (AWA)

These laws require the humane care of animals:
Involved in research, teaching, testing
Intended for use as pets or in exhibition (zoos, shows, exhibits)

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Animal Care: Organization

Headquarters: Riverdale, MD
Raleigh, NC Office
Fort Collins, CO Office
Center for Animal Welfare: Kansas City, MO

Animal Care performs inspections of facilities and enforces the Animal Welfare Act and Animal Welfare Act Regulations and Standards. The agency is organized into a headquarters office in Riverdale, Maryland and three offices:
Fort Collins, CO Office
Raleigh, NC Office
The Center for Animal Welfare in Kansas City, MO

Inspectors work out of the Fort Collins and Raleigh offices. The map on the slide shows how the states are divided between the two offices.

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The Animal Welfare Act

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The Animal Welfare Act

- Regulates:
 - Transportation
 - Purchase
 - Sale
 - Housing
 - Care
 - Handling and treatment
- Animals intended for:
 - Research
 - Animal exhibits
 - Pets



The Animal Welfare Act (AWA) and its corresponding regulations, regulate the transportation, purchase, sale, housing, care, handling and treatment of animals intended for use in research, in animal exhibitions, or as pets.

This AWA was enacted to ensure the humane care and treatment of animals intended for these purposes.

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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

The Animal Welfare Act (AWA) was originally written and passed in response to public outcry at the stealing, transport, and resale of pets for use in animal research. The case of Pepper the Dalmatian was used to highlight the need for regulation. Pepper was stolen from her family’s farm, transported under inhumane conditions, and sold into medical research. Pepper’s family searched several states for her, but they were too late; Pepper died during an experimental procedure at a research hospital in New York.

The story caught the attention of government officials and magazine writers, and a combination of public outcry and the efforts of government leaders led to the passage of the Animal Welfare Act.

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Animals Protected by 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, rabbits, apes/monkeys, etc.)
 - Exhibited animals
 - (Zoos, circuses, educational demonstrations)





The AWA protects warm-blooded animals intended as:
Pets – dogs, cats, guinea pigs, hamsters, rabbits, ferrets, chinchillas, and many other warm-blooded animals
Laboratory research subjects – dogs, cats, guinea pigs, hamsters, apes/monkeys, rabbits, etc.
Exhibited animals for zoos, circuses, educational demonstrations

Photos: Top and Middle: D. Bickett-Weddle, ISU, Bottom: Istock

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Animals Not Protected by 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)




Certain animals are not covered by the AWA. These include:
Farm animals raised for agricultural purposes – meat, milk, wool, etc.
Horses not used in biomedical research
Mice of genus *Mus* and rats of genus *Rattus* and birds that are bred for use in research
Cold-blooded animals – for example snakes, alligators, lizards

Photos: Top, middle: D. Bickett-Weddle; bottom: K. Schuette

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Enforcement

- To ensure licensed facilities follow the rules of the Animal Welfare Act, Inspectors perform:
 - Preliminary inspections
 - Unannounced compliance inspections
 - Follow-up inspections after public complaints

To ensure licensed facilities are following the rules of the Animal Welfare Act, Inspectors perform:
Preliminary inspections
Unannounced compliance inspections
Follow-up inspections after public complaints

When a violation is identified during an inspection, the AWA authorizes taking action penalties. Before taking these actions, AC also considers other enforcement options to include, but not limited to: a letter of information (an informal warning letter), an official warning letter, and an investigation.

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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

When an investigation is warranted, it is conducted by APHIS' Investigative and Enforcement Services (IES) unit. IES assists in ensuring compliance with the AWA by:

- Investigating alleged violations of the AWA and regulations
- Maintaining investigative case records
- Gathering information about violations and violators

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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

If violations of the AWA are found, enforcement measures for critical or repeat violations can include:

- Confiscation or euthanasia of animals
- Issuance of a cease and desist order (stopping a business from buying/selling animals)
- Monetary fines
- Suspension or loss of a license
- Formal prosecution (being taken to court)

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APHIS Animal Care Personnel

Animal Care employs a team of educated and trained experts to work in the field to ensure that provisions of the Animal Welfare Act are being followed. This section describes the roles of Animal Care Inspectors and Animal Care Specialists in overseeing provisions of the Animal Welfare Act Regulations and Standards.

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APHIS Inspectors

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



APHIS employs Animal Care Inspectors nationwide. They are experts in animal care and husbandry with extensive animal handling knowledge, with formal training and a background in animal-related fields, such as veterinary medicine, animal science, and biology.

Photo: Dani Ausen, ISU

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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

Inspectors receive extensive training including:

- Facility inspection training
- Specialized training in recognizing pain and suffering in the particular species with which they work, and
- Continuing education at regular intervals to provide the most up-to-date information on animal welfare and health.

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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

Inspectors also undergo field training. Inspectors receive continual on-the-job evaluations to ensure that their inspections are fair, consistent and accurate.

This may include:

Statistical analysis of inspection data

Reviews of inspection reports, enforcement requests and photographs by supervisors

Supervisory analysis during inspections

Reviews of inspectors and activity reports

Additional inspections for quality assurance purposes

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Animal Care Specialists

- Special expertise and experience in:
 - Canines
 - Birds
 - Elephants
 - Marine mammals
 - Exotic cats
 - Non-human primates



In addition to Animal Care Inspectors, Animal Care also employs experts on the care and handling of dogs, exotic species including birds, elephants, marine mammals, exotic cats and non-human primates.

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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



Photo: USDA:D. Ausen, ISU

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Non-Interference With APHIS Employees

- A licensee or applicant for an initial license shall not interfere with, threaten, abuse (including verbally abuse), or harass any APHIS official in the course of carrying out his or her duties
- Dealers, exhibitors, breeders, caretakers or researchers who interfere with the inspector's duties will be cited for failure to comply with the AWA

A licensee or applicant for an initial license shall not interfere with, threaten, abuse (including verbally abuse), or harass any APHIS official in the course of carrying out his or her duties.

Dealers, exhibitors, breeders, caretakers or researchers who interfere with the inspector's duties will be cited for failure to comply with the AWA.

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USDA Licensing of Facilities for Guinea Pigs, Hamsters or Rabbits

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Who Needs a License

- Any person who is a dealer of certain non-dangerous pet type animals such as guinea pigs, hamsters or rabbits must have a USDA license if:
 - A person derives more than \$500 gross income from the sale or negotiation of the sale of the above-listed animals to a research facility, exhibitor, dealer or pet store per calendar year

Any person who is a dealer of certain non-dangerous pet type animals such as guinea pigs, hamsters or rabbits must have a USDA license if a person derives more than \$500 gross income from the sale or negotiation of the sale of the above-listed animals to a research facility, exhibitor, dealer or pet store per calendar year.

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Who is Exempt from USDA Licensure

- No license needed for:
 - Persons who derive less than \$500 per calendar year from the sale of animals other than dogs and cats or wild/exotic animals
 - Retail pet stores that sell animals face-to-face according to the new Retail Pet Rule
 - (Not exempt if they sell more than \$500 worth of animals to research facilities, exhibitors or other pet stores per calendar year)
 - Person who buys, sells, purchases or transports any animals only for food or fiber (including fur)
 - Person who buys animals solely for his or her own use and enjoyment, and does not sell or exhibit them

The following people are exempt from USDA licensure:
Person who derives less than \$500 per calendar year from the sale of animals other than dogs and cats or wild/exotic animals
Retail pet stores that sell animals face-to-face according to the new Retail Pet Rule. (Not exempt if they sell more than \$500 worth of animals to research facilities, exhibitors or other pet stores per calendar year)
Person who buys, sells, purchases or transports any animals only for food or fiber (including fur)
Person who buys animals solely for his or her own use and enjoyment, and does not sell or exhibit them
There are additional exclusions that can be explained by the AC Inspector

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Example No. 1

- Ann raises guinea pigs and hamsters
- She derives:
 - \$300 income per calendar year for sales of guinea pigs to research facilities
 - \$300 income per calendar year for sales of hamsters to exhibitors
- Ann requires a license

The requirement for a license for people who raise guinea pigs, rabbits or hamsters combines the total sales from the animals. It is not determined solely by the type of animal, but by the combined total sales of regulated small pet animals per calendar year.

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Example No. 2

- Mike raises guinea pigs and takes them to an auction for resale as pets
 - He derives \$1,500 per year from the sale
- Mike requires a license

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Example No. 3

- John has 400 rabbits
 - He sells 360 for food and fiber, deriving \$3,600 per year
 - He sells 40 rabbits to a research facility for income of \$400
- John does not require a license

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Example No. 4

- Mary raises guinea pigs and chinchillas for sale to pet stores
 - She derives \$300 per year from the sale of guinea pigs
 - She derives another \$300 per year from the sale of chinchillas
- Mary does require a license

The combined income of all species of animals determines whether or not a dealer of guinea pigs, hamsters, rabbits or other non-dangerous pet type animals must obtain a license.

Note that the combined sale of regulated animals is over \$500, which means that a license is required.

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Types of Licenses

Now we will discuss the different types of USDA licenses.

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Types of Licenses Required for Guinea Pigs, Hamsters or Rabbits

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

Under the AWA, there are three types of licenses: Class A for commercial breeders, Class B for brokers and operators of an auction sale, and Class C for exhibitors. The next section will briefly describe these licenses.

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**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 dealers of guinea pigs, hamsters or rabbits require a Class A License

Brokers are dealers whose business includes:
The purchase and/or resale of animals
Arranging the sale of an animal

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**Brokers:
USDA Class B License**

- Dealers whose business includes:
 - The purchase and/or resale of animals
 - Arranging the sale of an animal
 - Operators of animal auctions
- Class B licensees may also exhibit animals as a minor part of their business

This type of license applies to most “middle men” who arrange for animals from one person or facility to be sold to another person or facility, such as:
Brokers

Operators of animal auctions

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

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Examples

- Rhonda:
 - Breeds guinea pigs and rabbits on her farm
 - Sells animals every 2 weeks to George
 - Receives between \$100 and \$120
- What type of license?
 - Rhonda is a Breeder
 - Needs a Class A license
- George:
 - Visits farms every 2 weeks
 - Buys guinea pigs and rabbits from several farms
 - Delivers them to "Pet-A-Rama" pet stores
- What type of license?
 - George is a Broker
 - Needs a Class B license

Rhonda breeds guinea pigs and rabbits on her farm in Missouri. She sells animals to George every two weeks, receiving \$100-120.
Breeder (Class A license)

George knows all of the breeders in the central Missouri area, and comes bi-weekly to look at and purchase animals from several farms, load them into his truck, and deliver them to several "Pet-A Rama" pet stores in the city.
Broker (Class B license)

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Examples

- "Pet-A-Rama"
 - Pays George for the guinea pigs and rabbits he delivers
 - Conforms to face-to-face sales of pets under the New Pet Store Rule
- What type of license?
 - Exempt from licensure

The "Pet-A-Rama" pet stores pay George for the regulated animals that he delivers to them.

What type of license does Pet-A-Rama need?
Pet-A-Rama is exempt from licensure

In this example, the "Pet-A-Rama" stores are retail stores, which sell animals to be used as pets to the general public. These retail stores are exempt from licensure under the Animal Welfare Act if they sell non-dangerous, pet-type animals such as dogs, cats, birds, rabbits, hamsters, guinea pigs, gophers, domestic ferrets, chinchillas, rats and mice for pets at retail only. Regulation 2.1 a 3 i.

The new Retail Pet Store Rule requires that sales of animals must be face-to-face to qualify as a pet store.

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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

Note that exotic animal exhibits at county or state fairs are inspected. Guinea pigs, hamsters or rabbits included in such exhibits are inspected. Those exhibitors would be Class C licensees.

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Licensure Requirements

This section is a brief discussion of licensure requirements. Other presentations in this course contain more information about license requirements. Please contact your Animal Care Inspector if you have questions.

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Prelisense Application Packet

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



Prelisense information packets are available from Animal Care. You can request them from the Regional Office serving your area, either by letter or through the APHIS Animal Care website.

<https://acis.aphis.edc.usda.gov/ords/f?p=116>

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Prelicense Application Packet

- Contains:
 - Regulations and statutes
 - Forms
 - Instructions
 - Guidance on setting up a compliant facility
 - Checklist

The prelicense information packet from Animal Care contains the information you need to apply for a license. It will have a copy of the Animal Welfare Act and Regulations, forms you need to apply for a license, instructions for applying for a license, guidance on making sure your facility is in compliance with the AWA and a checklist of items to ensure your application is complete and you are ready for your prelicense inspection.

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**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



A person seeking licensure must:

- Be 18 years of age, or older
- Not have more than one USDA license
- Be able to provide either a Social Security Number, or a Federal Taxpayer Identification Number

The applicant must fill in a license application form (APHIS Form 7003A). This form is found in the prelicense information packet available from the Animal Care Regional Office affiliated with the state in which the licensee wishes to operate their business.

If a person seeking licensure operates in more than one state, he/she should apply in the state where he/she has their principal place of business. All premises in all states must be listed on the application form.

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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**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

The licensee will pay an application processing fee of \$10.00.

After passing the prelicense inspection, the licensee will pay a licensing fee based upon the dollar amount of the business in one year.

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**Requirements:
Class A and Class B Licenses**

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

The licensee must have a relationship with an attending veterinarian
 Veterinarian to visit the facility on a regular basis – recommended at least once per year
 Veterinarian to aid in developing and implementing a Program of Veterinary Care

Licensees must have a program of Veterinary Care
 Plan outlining veterinary care for such things as vaccinations, parasite control, and emergency care.

Approved and signed by the attending veterinarian, and also signed by the person seeking licensure. NOTE: the plan must be specific – “As Needed” is not an appropriate response.

Must be available to show Inspector at any time

NOTE: If the licensee employs a veterinarian full-time, the written Program of Veterinary Care is not required.

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**Requirements:
Class A and Class B Licenses**

- Completed Record of Acquisition of Guinea Pigs, Hamsters or Rabbits must be presented at prelicense inspection
- Must include information required by Regulations on Forms 7020, 7020-A or 7019



The licensee must be able to provide a written Record of Acquisition of guinea pigs, hamsters or rabbits at the time of the prelicense inspection. The records must contain information required in the Regulations and listed on Forms 7020, 7020-A or 7019. It is not required to use the forms themselves.

This form is available in the prelicense information packet, on the Animal Care website at

(http://www.reginfo.gov/public/do/PRAViewIC?ref_nbr=201102-0579-002&icID=2101), or by request through the Animal Care office. This

information needs to be complete and available for the Inspector at the prelicense inspection.

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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 animals in breeding operations, including enforcement of the Animal Welfare Act
3. List and briefly describe the types of licenses available to animal breeders
4. Describe situations in which a license is needed, or in which a facility may be exempt from licensure

You should now be able to:

1. Briefly discuss the organization of APHIS Animal Care.
2. Describe the role of Animal Care and Animal Care Inspectors in protecting the welfare of animal in breeding operations, including enforcement of the Animal Welfare Act.
3. Describe the types of licenses available to animal breeders.
4. Describe situations in which a license is needed, or in which a facility may be exempt from licensure.

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Questions?

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.



Iowa State University