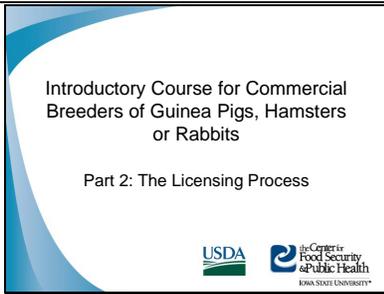


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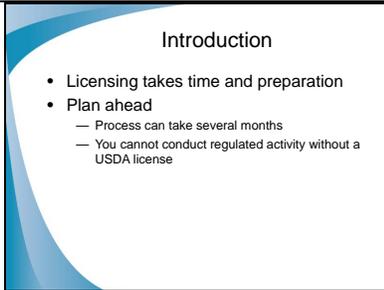
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This presentation will discuss the process involved with becoming a USDA licensed dealer.

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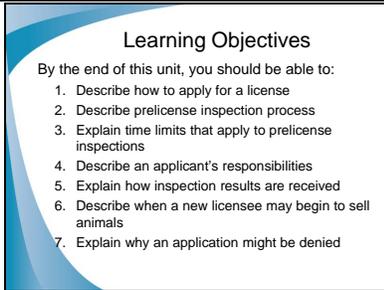


The process of becoming a USDA Licensed facility requires time and preparation. The process can take several months, depending on a variety of factors, including facility preparation, completion of paperwork and demonstration of compliance with AWA regulations.

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.

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

1. Describe the prelicense inspection process and the requirements for obtaining a license.
2. Describe the license application process.
3. Explain the time limits that apply to the completion of prelicense inspections.
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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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 prelicense 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 prelicense 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.

Map: USDA APHIS

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Application

- Complete and return application to the office responsible for your state
- A complete application includes:
 - APHIS Form 7003-A
 - \$10 application fee
 - Taxpayer id form
- Reviewed by the 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 office responsible for your state

A complete application includes:

APHIS Form 7003-A

\$10 application fee

Taxpayer id form

Reviewed by the 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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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

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

NOTE: Pre-license 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

The section discusses the time limits that apply to the application process.

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Time Limit

90 days from Inspector's first inspection
OR
3 Inspections

The Animal Welfare Act Regulations and Standards 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 precense 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 guinea pig and rabbit breeding facility
- 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 and Standards, 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?

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)

90 days: June 1 to August 29

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 on 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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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

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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 AVA. 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 guinea pigs and rabbits

If you are unclear on when you can begin conducting regulated activities, please contact the 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. Smith's license application is canceled.

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Explanation of Outcome 2

- Three prelicense inspections:
 - June 1, July 31, August 20
- Not in compliance after 3 inspections within 90 days
- Application denied
- Can reapply after 6 months
- Cannot conduct regulated activities

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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 denied 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 for 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 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 the Animal Welfare Act
- AWA Regulations and Standards
 - 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 preclicensing information packet from USDA APHIS Animal Care contains a copy of the Animal Welfare Act Regulations and Standards, 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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Records

- Program of Veterinary Care
 - Approved and signed by attending veterinarian
 - Must be up-to-date
- Health Records
 - Must be able to demonstrate animals are receiving adequate health care



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 method 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 prelicensing materials packet.

The Program of Veterinary Care presented to the Inspector must be up to date, including such changes as new recommendations from the attending veterinarian, care for new species added, etc.

Health records – Health records are used to communicate information to all people involved in the animal’s care. Every facility is expected to have a system of health records comprehensive enough to demonstrate that animals with medical issues are receiving adequate health care. No specific form is required; however, the records must contain enough detail to demonstrate that the animals are receiving timely and appropriate veterinary evaluation and treatment for their problems.

Training Plan and Documentation of Training – Employees should have general knowledge of animal husbandry. It is recommended that training related to this knowledge be documented.

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Records

- APHIS Form 7019:
 - Record of Animals on Hand
 - (Other than dogs and cats)
- APHIS Form 7020:
 - Record of Acquisition, Disposition or Transport of Animals Sheet
 - (Animals other than dogs or cats)
 - (Form 7020A is Continuation Sheet)
 - Animals that were sold, traded, donated, died, or euthanized
- Must identify all animals by:
 - Breed
 - Species
 - Number of animals

APHIS Form 7019: Record of Animals on Hand (other than dogs and cats) – be sure to have all necessary information

APHIS Form 7020/7020A: Record of Acquisition, Disposition or Transport of Animals (Other than Dogs and Cats)–Be sure to have this information: Information about how all animals at the facility were acquired. Information when animals leave the facility. Reasons could be that the animal is sold, traded, donated, euthanized or has died.

The regulations require that the animals be identified by breed, species and number of animals.

The information covered in Section 2.75(b) is required for all facilities. The facility can use any form of record-keeping as long as all the required information is included.

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Other Requirements

- Other requirements under the regulations:
 - Housing
 - Sanitation
 - Proper husbandry
 - Identification of animals
 - Other aspects covered by the AWA Regulations and Standards

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.

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The Inspection

- Among other things, the Inspector will:
 - Review the application
 - Inspect all animals and facilities
 - May take photos, videos, and notes of the facility
 - Discuss husbandry, veterinary care, and contingency plans
 - Identify any noncompliant items
 - Answer questions



On the day of the precense inspection, the Inspector will arrive at the facility at the designated time. The Inspector will identify him/herself and present official 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

Inspect the animals and facilities

May 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-compliant items, further questions or comments about the facility

Ask questions about the animals and the facilities

Discuss general husbandry practices

Discuss veterinary care plans

Examine records

Identify and discuss any noncompliant items

Answer questions

Photo: Dani Ausen: ISU CFSPH

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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 of the facility 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 precicensing 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 lots of 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 your 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 received a copy of 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.

Photo Credit: Dani Ausen, ISU

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

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

Summarize what occurred during the inspection

Explain APHIS' inspection and enforcement processes

Provide instructions for submitting the proper fee

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 prelicense 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 prelicense 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
 - Failure to pay application fee
 - Incomplete application
 - Previous license revoked or suspended
 - Violation of animal cruelty laws or regulations within 1 year of application
 - Operates in violation of State, Federal or local laws
 - 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 Regulations and Standards 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 within 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 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

This presentation provided a brief overview of the process involved in becoming a licensed commercial breeder under the AWA.
 You should now be able to:

1. Describe the process for applying for a license.
2. Describe the prelicense inspection process and the requirements for obtaining a license.
3. Explain the time limits that apply to the completion of prelicense inspections.
4. Describe your responsibilities as an applicant during a prelicensing 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

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