



Animal and Plant Health Inspection Service
U.S. DEPARTMENT OF AGRICULTURE

New Rule Rollout: Contingency Planning

April 6, 2022

Docket: APHIS-2019-0001: Animal Welfare Act
Handling of Animals, Contingency Plans
Effective December 3, 2021



FEDERAL REGISTER

The Daily Journal of the United States Government





Objectives

Background

Requirements

Resources





What is Contingency Planning?

Planning to account for adverse, emergencies,
and unexpected events





What is Contingency Planning?

- Backup Planning
- Emergency Planning
- Adverse Event Planning
- Disaster Planning
- Disaster Management
- Resiliency Planning

Example: School building fire safety planning





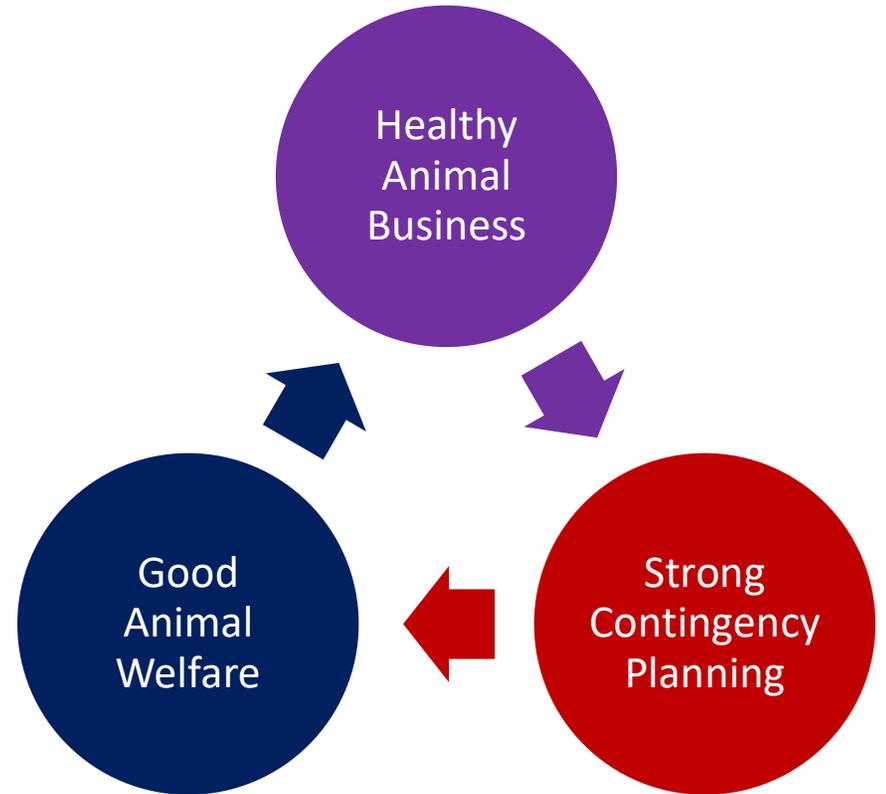
Hurricane Katrina (2005)





Background

Better planning for emergencies, adverse events, or disasters safeguards the health and welfare of the animals.





Milestones

12/31/2012: Rule approved

7/13/2013: Stay imposed to further study the rule impact

6/1/2018: APHIS issued *de minimis* exemptions to address stay concerns

7/25 to 8/24/2021: Proposal to lift the stay (60-day public comment)

01/03/2022: Final rule in effect

07/05/2022: Facilities are to have plan



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§ 2.134 and § 2.38(l) Contingency planning

Provide for the humane care of their animals in the event of an emergency or disaster (one which could reasonably be anticipated and expected to be detrimental to good health and well-being)



§ 2.102 Holding facility

The other person or premises must either be directly included in the dealer's or exhibitor's contingency plan required under § 2.134 or must develop its own contingency plan in accordance with § 2.134





Rule Summary, Part 1

Contingency Plans to be in place on 7/5/2022 (within 180 days of the final rule going into effect)

Plan must:

- Identify when the plan is put into action (when),
- Outline the specific tasks to be carried out (what),
- Identify a chain of command and responsibility for the tasks (who),
- Address materials, resources, and training needed (how).



Rule Summary, Part 2

- Plan is available for inspection (plans go with traveling entities),
- Entities review plan annually, and document review and interim modifications,
- Optional form APHIS 7093,
- Training must be provided to personnel within 60 days of the plan being put in place.



Planning Must Answer the 4 Questions

When

Identify situations the licensee or registrant might experience that would trigger the need for the measures identified in a contingency plan to be put into action including, but not limited to, emergencies such as electrical outages, faulty HVAC systems, fires, mechanical breakdowns, and animal escapes, as well as natural disasters most likely to be experienced;

What

Outline specific tasks required to be carried out in response to the identified emergencies or disasters including, but not limited to, detailed animal evacuation instructions or shelter-in-place instructions and provisions for providing backup sources of food and water as well as sanitation, ventilation, bedding, veterinary care, etc.;

Who

Identify a chain of command and who (by name or by position title) will be responsible for fulfilling these tasks; and

How

Address how response and recovery will be handled in terms of materials, resources, and training needed.
(from § 2.134)



When?

§ 2.134(a)(1) and § 2.38(l)(1)(i) Identify situations the licensee or registrant might experience that would trigger the need for the measures identified in a contingency plan to be put into action including, but not limited to, emergencies such as electrical outages, faulty HVAC systems, fires, mechanical breakdowns, and animal escapes, as well as natural disasters most likely to be experienced;



What?

§ 2.134 (a)(2) and § 2.38(l)(1)(ii) Outline specific tasks required to be carried out in response to the identified emergencies or disasters including, but not limited to, detailed animal evacuation instructions or shelter-in-place instructions and provisions for providing backup sources of food and water as well as sanitation, ventilation, bedding, veterinary care, etc.;



Who?



§ 2.134 (a)(3) and § 2.38(l)(1)(iii) Identify a chain of command and who (by name or by position title) will be responsible for fulfilling these tasks; and



How?

How will you do it successfully?

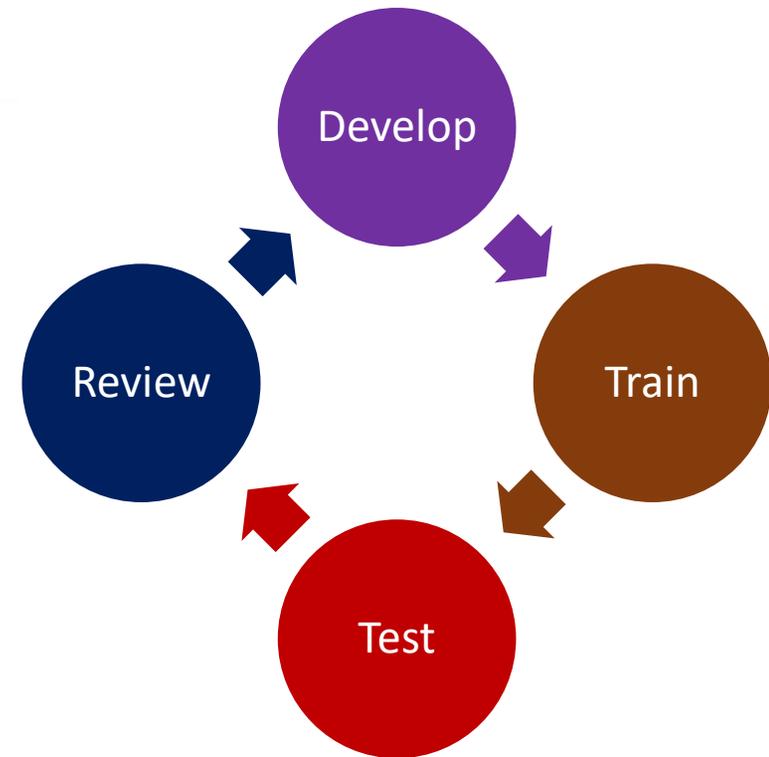
§ 2.134 (a)(4) and § 2.38(l)(1)(iv) Address how response and recovery will be handled in terms of materials, resources, and training needed.



Planning

A plan is a living document

It changes as your animals, staff, and vendors change





Training on roles and responsibilities



§ 2.134(c) & § 2.38(l)(3)



Optional Form APHIS 7093

SECTION I. ESTABLISHMENT OF CONTINGENCY PLANNING PROGRAM

1. LICENSEE/REGISTRANT NAME	6. SITE NUMBER
2. BUSINESS NAME	
3. USDA LICENSE/REGISTRATION NUMBER	7. HOME TELEPHONE
4. STREET MAILING ADDRESS	8. BUSINESS TELEPHONE
5. CITY, STATE, AND ZIP CODE	9. EMAIL ADDRESS



Optional Form



SECTION II. MAINTENANCE OF PROGRAM

Facilities must develop, document, and follow a contingency plan to provide for the humane handling, treatment, transportation, housing, and care of their animals in the event of an emergency or disaster. Make sure your contingency planning addresses the basics by completing this optional form.

The process of contingency *planning* is more important than an actual plan, especially if the plan is never revisited. Review your plan once a year, at minimum. Practice your plan through drills with employees. Use the reviews as an opportunity to improve your plan (e.g., add new triggers you had not thought of before, update contact information for all employees, add backup sources for feed, assess your training). Make sure your contingency plans, as well as all annual review documentation and training records are available to USDA upon request.

For more tips on planning, visit
https://www.aphis.usda.gov/aphis/ourfocus/emergencyresponse/sa_animal_welfare

I have read and completed this Contingency Planning Program and understand my responsibilities.

Licensee / Registrant _____ Date _____

IN THIS SPACE LIST THE DATES AND INITIAL WHEN YOU REVIEWED AND CONDUCTED DRILLS ON THIS PLAN. ADD MORE PAGES AS NEEDED.

[Empty space for listing dates and initials of drills]



Optional Form



SECTION III. IMPORTANT CONTACT INFORMATION

1. ATTENDING VETERINARIAN	10. POWER COMPANY
2. SDA INSPECTOR	11. GAS COMPANY
3. EMERGENCY MANAGEMENT AGENCY	12. WATER COMPANY
4. ANIMAL POISON CONTROL CENTER	13.
5. ANIMAL EVACUATION SITE	14.
6. FIRE DEPARTMENT	15.
7. POLICE DEPARTMENT	16.
8. HOSPITAL	17.
9. POISON CONTROL CENTER	18.



Optional Form

SECTION IV. SITUATIONS THAT WOULD TRIGGER YOUR CONTINGENCY PLAN

(Add more pages as needed.)

What are common risks to your animals? What types of things have you experienced in the past at your facility?

Here are some examples.

- Electrical outages
- Faulty HVAC systems
- Fires
- Animal escapes
- Natural disasters such as _____
- Feed and water supply disruptions
- Road closures
- Other situation: _____

List other issues and details below.

Large light blue rectangular area for listing other issues and details.

Light blue rectangular area for additional notes or details.





Optional Form

SECTION V. SPECIFIC TASKS REQUIRED <i>(see note below)</i>	SECTION VI. RESPONSIBLE PERSON FOR THE TASK	SECTION VII. DETAILS NEEDED TO PERFORM THE TASK <i>(Consider physical materials, other resources, and training)</i>
<i>(Example only)</i> Use back-up animal feed	Animal Husbandry Manager Cell 111-111-1111	Plan for 2 alternate feed sources at all times, keep 7 days' emergency feed on hand in Storeroom 1, use and replace emergency feed stock monthly to prevent spoilage; train staff on monthly stock rotation
<i>(Example only)</i> Contact all employees in emergency situation	Staff Manager Cell 222-222-2222	Maintain a way to contact employees when they are both on-site and off-site; keep contact list updated; perform drills to ensure all employees are trained

**SECTION VI.
RESPONSIBLE PERSON
FOR THE TASK**

*Animal Husbandry Manager
Cell 111-111-1111*

*Staff Manager
Cell 222-222-2222*





Background
Requirements
Resources



Resources

<https://www.thenasaaep.com/>

<https://zahp.org/>

<https://avma.org/>

<https://www.nacenet.org/disaster-portal/>

<https://thenarsc.org/>

<https://www.ready.gov/>

<https://www.ready.gov/business>

<https://www.ncbi.nlm.nih.gov/books/NBK464307>





Resources

<https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/new-contingency-planning-rule/aphis-2020-0101>



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USDA FAQ's and resources about coronavirus (COVID-19). [LEARN MORE](#)

[Animal Welfare](#) / [New Contingency Planning Rule](#)

Animal Welfare

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[Animal Welfare Act](#)

New Contingency Planning and Training of Personnel Rule (APHIS-2020-0101)

Last Modified: Jan 27, 2022

Print





Resources

https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/sa_publications/ct_publications_and_guidance_documents

Animal Care Tech Note

Development Guide: Contingency Plans for Emergencies

As a dealer, exhibitor, research facility, intermediate handler, animal transporter, or other entity regulated under the Animal Welfare Act, you are required to make a contingency plan. This plan describes what you will do to safeguard your animals during emergencies or disasters. Use this tech note to help guide the development of your contingency plan.

Contingency Plan Basics

- There is no one-size-fits-all contingency plan. You'll need to create a plan that addresses your facility's unique needs in different emergencies.

Your contingency plan should cover all animals in your facility and all holding facilities, including alternate locations you may use during an evacuation.

A licensee or registrant who transports animals or works as an intermediate handler must also develop a contingency plan for emergencies that can occur during the transport process or while temporarily holding animals.

All employees should be aware of your facility's contingency plan and trained to carry out their designated roles and responsibilities.

You must review your plan and document any updates at least annually. If you experience personnel changes or other changes, you should review your plan more often to keep it up to date.



Carefully consider and document potential emergencies that could affect your area. Contingency plan emergencies include:

- Wildfires, earthquakes, hurricanes, tornadoes, or avalanches
- Hurricanes, tornadoes, or extreme heat and cold
- Power outages; faulty electrical, heating, or conditioning systems or building fires
- Water or feed supply interruptions
- Road closures that impede animal transport, or hazardous weather
- Human or animal disease

Animal Care Tech Note

Quick Reference: Contingency Plans for Emergencies

As a dealer, exhibitor, research facility, intermediate handler, animal transporter, or other entity regulated under the Animal Welfare Act, you are required to make a contingency plan. This plan describes what you will do to safeguard your animals during emergencies or disasters. As you develop





Resources <https://www.ready.gov/business>





Resources <https://zahp.org/>

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Is Your Facility Prepared?

We are here to help **zoos, aquariums, and facilities managing exotic wildlife** become more prepared for and resilient to



Resources

Highly Pathogenic Avian Influenza

Report Sick Birds: 866-536-7593

www.aphis.usda.gov/animalhealth/defendtheflock





Questions?

Animal Care
animalcare@usda.gov

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Randall Wagner

