

APHIS Directive 6501.1

8/4/95

DELEGATION OF ENFORCEMENT AUTHORITY

1. PURPOSE

This Directive delegates authority to Regulatory Enforcement and Animal Care (REAC), Regulatory Enforcement, to carry out enforcement activities provided for in laws and regulations administered by APHIS.

2. AUTHORITIES

The authorities for APHIS program activities including enforcement action are specified as follows:

- a. Title 7, Code of Federal Regulations, Section 371.2(c) (2) (i) through (xiii) authorizes Plant Protection and Quarantine and Biotechnology, Biologics, and Environmental Protection (BBEP) programs.
- b. Title 7, Code of Federal Regulations, Section 371.2(d) (2) (i) through (xviii) authorizes Veterinary Services programs.
- c. The Animal Welfare Act, as amended (7 U.S.C. 2131-2147, 2149-2155) and the Horse Protection Act (15 U.S.C. 1821-1831) authorize REAC Animal Care programs.
- d. The Virus-Serum Toxin Act, as amended (21 U.S.C. 151-159) authorizes the BBEP Veterinary Biologics program.

3. POLICY

It is APHIS policy to support program activities with the appropriate enforcement action necessary to achieve the Agency mission. Regulatory Enforcement, the investigative unit within APHIS, is routinely requested by APHIS program officials to participate in or carry out independently a wide range of enforcement activities.

The enforcement activities may include inspections, investigations, seizures, holds, condemnation, and/or the evaluation and referral of violation cases to the Office of the General Counsel for issuance of formal complaints.

4. DELEGATION OF AUTHORITY

The authority to carry out enforcement activities under the above authorities is hereby delegated to REAC, Regulatory Enforcement. When requested by the appropriate APHIS program official, Regulatory Enforcement is authorized to conduct activities as provided for in the enabling legislation either independently or in a cooperative effort with APHIS program personnel.

/s/ Lonnie J. King /s/
Administrator

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