



Animal Care

www.aphis.usda.gov/animal_welfare

December 2011



Backgrounder

The Animal Welfare Act Provisions on Animal Fighting

The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) has general enforcement responsibility for the Animal Welfare Act (AWA). Among many other provisions, the AWA prohibits individuals from sponsoring or exhibiting an animal in a fighting venture, such as dogfighting or cockfighting. The law prohibits selling, buying, transporting or delivering an animal for the purpose of participation in an animal fighting venture. The AWA also prohibits the interstate or foreign commerce of sharp instruments for use in bird fighting. Violation of the animal fighting prohibitions is a Class E felony, punishable by a fine of up to \$250,000 and up to 5 years imprisonment.

■ Enforcement of Laws Covering Animal Fighting

APHIS and USDA's Office of the Inspector General (OIG) work together with State and local authorities to investigate and enforce Federal and State laws regarding animal fighting. Cockfighting and dogfighting are currently illegal in all 50 States. Both APHIS and OIG have taken steps to improve USDA's enforcement effectiveness.

Animal fighting circles can be extremely dangerous, often including other illegal activities such as drugs, firearms, and gambling. APHIS inspectors do not carry guns and are not equipped to confront situations that would endanger their lives.

APHIS inspectors who observe evidence of animal fighting during routine inspections refer suspected cases to OIG, USDA's law enforcement arm. OIG will then either investigate the situation or work with other Federal, State, and local law enforcement authorities to do so.

To help them better handle cases, APHIS inspectors receive training to improve their ability to identify animal fighting activities.

■ OIG's Role

OIG conducts audits and investigations relating to the programs and operations of USDA. APHIS refers information on animal fighting activities to OIG, and OIG initiates investigations based upon the potential for criminal prosecution as resources permit. In those instances where OIG does not initiate an investigation, it refers complaints to other law enforcement authorities, as appropriate. OIG personnel work closely with State and local law enforcement authorities, as States have their own laws banning animal fighting ventures and are better positioned to enforce those laws. OIG's law enforcement authority is to be used for alleged or suspected felony or misdemeanor violations of statutes administered by the Secretary of Agriculture.

