



Animal Care Tech Note

Inspection Report Appeals Process

Animal Care, a part of the U.S. Department of Agriculture (USDA), conducts inspections to assess whether dealers, exhibitors, research facilities, intermediate handlers, and carriers are in compliance with the Animal Welfare Act (AWA) and its regulations and standards. The following information is a quick reference for these facility operators on the process for appealing an inspection report.

Overview

An appeal is a formal request to USDA Animal Care from an AWA licensee, registrant, or new applicant to reconsider all or part of the content of an inspection report. You may appeal content in a **regular inspection** report (i.e., routine, focused, or attempted inspection types) or a **third prelicense inspection** report that you believe is incorrect, does not consider relevant facts, or is inconsistent with the applicable AWA regulations or standards.

The appeals process provides an objective and thorough way for Animal Care to review any disagreements about the content of an inspection report, without fear of retaliation on the part of the licensee, registrant, or applicant. The process can also lead to a better understanding of the AWA and its regulations and standards among licensees, registrants, and applicants and help promote compliance through information-sharing.



Appealing an Inspection Report

During an inspection, if a USDA inspector observes conditions that are not in compliance with the AWA and regulations and standards, the inspector will document their observations and professional assessments on an inspection report and explain them to you.

We encourage you to ask your inspector questions about the inspection or the content of the report during the course of the inspection and/or during the exit briefing. If a question involves potential changes to the content of the inspection report, the inspector may modify the inspection report or leave it as originally written, as appropriate.

If you and the inspector are unable to resolve concerns about the content of an inspection report, or if you decide to appeal all or part of the content of the report, you'll need to submit a detailed, written appeal. Your written submission should clearly state the content of the inspection report you are appealing and include any documentation or other information in support of the appeal.

USDA will review your appeal. The timing requirements and review process for **regular inspection** appeals and **third prelicense inspection** appeals are slightly different. See the next page of this document for details you need to know.



Regular Inspection Appeals

Timing Requirements

Animal Care must receive your appeal **within 21 days** of you receiving the inspection report. An appeals team (Director and/or Assistant Director of Animal Welfare Operations, Supervisory Animal Care Specialist, and a staff veterinarian or other subject matter expert) will review your appeal. If needed, the appeals team may request more information from you.

The team will make every effort to respond to your appeal within 30 days, but depending on the nature of the appeal, it may take longer than 30 days. In their response, the appeals team will notify you of any revisions made to the content of the inspection report or the reasons why the content of the inspection report was not revised.

Recourse for Denied Appeals

Appeal responses for regular inspections are final.

Contact Us

For questions about this process or to file an appeal for a regular inspection:

Animal Care
Animal and Plant Health Inspection Service
U.S. Department of Agriculture
2150 Centre Avenue, Building B, Mailstop #3W11
Fort Collins, CO 80526-8117
(970) 494-7478
animalcare@usda.gov

Third Prelicense Inspection Appeals

Timing Requirements

Animal Care must receive your appeal **within 7 days** of you receiving the third prelicense inspection report. The Deputy Administrator of Animal Care will review your appeal and issue a decision within 7 days of receiving the appeal. Only the third prelicense inspection report may be appealed.

Recourse for Denied Appeals

For new applicants, appeal decisions are final.

For current licensees, denied appeals may be eligible for a hearing. In this case, you must (1) have applied for prelicensing at least 90 days before your current license expires, and (2) submit your request for a hearing within 30 days of receiving notice that your license application was denied.

Contact Us

To file an appeal for a third prelicense inspection:

Deputy Administrator, Animal Care
Animal and Plant Health Inspection Service
U.S. Department of Agriculture
4700 River Road, 6D-03F
Riverdale, MD 20787
animalcareappeals@usda.gov