

# Animal Welfare Enforcement 1973

REPORT OF THE  
SECRETARY OF AGRICULTURE  
TO THE  
PRESIDENT OF THE SENATE  
AND THE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES



United States Department of Agriculture



Issued June 1974

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BN-4201

The Animal and Plant Health Inspection Service (APHIS) has a field force of 600 veterinarians and an approximately equal number of technicians who spend about 5 percent of their time inspecting licensees and registrants under the Animal Welfare Act.

# ANIMAL CARE OFFICERS

Line and staff officers of APHIS Veterinary Services cooperate in the administration of the Animal Welfare Act (see Appendix). The animal care staff has six specialists headquartered in Hyattsville, Md. (near Washington, D.C.), who work full-time on coordinating and improving nationwide enforcement.

## Field Force

Field work is done by approximately 600 veterinarians and an approximately equal number of technicians who spend about 5 percent of their time on animal care. The rest of their effort is directed at national programs of livestock and poultry disease eradication and control.

A realignment within Veterinary Services in 1973 reduced the number of field officers from 47 to 18. They are organized into five regions directed from Hyattsville, and they handle all contact between USDA and its licensees and registrants (see Appendix).

## Uniform Enforcement

In any nationwide effort to enforce regulations and standards, emphasis must be placed on first training the enforcement officers and then assuring that they interpret the regulations and standards uniformly. APHIS has encouraged seminars on uniform interpretation of animal care regulations and standards at all levels of management, ranging from short briefings to formal training courses.

During 1973, eight training courses were held, (5 regional, 3 area) attended by inspectors principally involved in animal care enforcement plus their supervisors. Altogether, 300 persons attended. The program drew heavily upon the expertise of the Animal Care Staff and the experiences of those familiar with enforcement in the field. The students also were exposed to the opinions and experience of noted outside authorities in the animal care field.

## LICENSEES AND REGISTRANTS

The Animal Welfare Act requires the Secretary of Agriculture to prepare lists of all licensees and registrants under the Act. These lists are public information and were updated and republished prior to preparation of this report. At the time of preparation, these lists contained the names and addresses of 4,287 licensed dealers, 286 licensed exhibitors, 604 registered exhibitors, and 865 registered research facilities (see Separates).



BN-42014

Wild animal parks are a type of exhibit that can provide excellent care for animals, but the large open areas pose special challenges in assuring each individual animal the benefits of USDA's standards.

## INSPECTIONS

APHIS inspectors inspect licensees and registrants to assure that USDA regulations and standards of animal care are being met (see Appendix, Table 3).

Regulations cover animal identification, recordkeeping, business operations, required annual reports, inspection for missing animals, and confiscation and destruction of animals. The facilities and staff of the operation must meet standards on animal housing, handling, feeding, watering, sanitation, ventilation, shelter, separation of incompatible animals, adequate veterinary care, and transportation. Investigators also inspect nonlicensed operations where they monitor activities and review records to see if the operation should be licensed or registered.

By law, the responsibility for requesting a license or registration lies with the applicant and failure to take such action is a violation. However, as a matter of policy, a potential licensee or registrant is usually given opportunity to apply for such a license or registration before legal action is initiated.

However, most trading points popularly known as "animal auctions" are places where animals are sold from one individual to another. There is no central management and no public interplay between competing bidders. These sales do not fit Webster's definition of auctions and the organizers are not subject to regulation under the Animal Welfare Act.

Nonetheless, APHIS inspectors cover these trading points, because animal dealers who buy and sell are individually subject to USDA regulations and standards of care and comfort for their animals.

## Airport Inspection

USDA has no jurisdiction over common carriers--including airlines--that carry animals. In response to public interest in allegedly poor animal handling during air shipments, APHIS inspectors began in 1973 to monitor care and treatment of animals licensees and registrants ship, even if a common carrier ultimately carries the shipment.

APHIS inspections at airports uncovered a number of apparent violations on the part of USDA licensees and identified a number of shippers who apparently should be licensed but haven't applied. We inform shippers of discrepancies, and if they are not corrected, APHIS initiates legal action against the person responsible.

In addition, APHIS officials cooperated with the National Council on Animal Transportation, a private group organized by the American Humane Association, including principals involved in animal shipments. This group is developing standards for humane care and treatment during air shipments. These standards would be voluntary guidelines, but they would provide an objective basis to evaluate complaints.

APHIS also is working closely with the Federal Aviation Administration and the Civil Aeronautics Board--two other agencies with some jurisdiction over air shipments. Among other things, the three agencies are determining what problems exist for animals shipped by air and how best to resolve them; this consultation was recommended by the House Subcommittee on Special Studies in oversight hearings held in September 1973.

## ALLEGED VIOLATIONS

Failure to comply with regulations and standards under the Act does not always result in immediate legal action. Inspectors assist licensees and registrants to attain compliance, and most of them correct deficiencies within the agreed period of time. Time limits set for corrections are made narrower as the likelihood of harm to animals increases.

In cases, where licensees and registrants fail to correct irregularities the field force prepares an investigative file for prosecution through the courts or in administrative proceedings. From all sources--APHIS inspections and searches plus outside sources of complaints--18 cases were investigated during 1973 (see Appendix, Table 4).

# PUBLIC INFORMATION ACTIVITIES

A public information officer in the APHIS Information Division is assigned to cover animal care activities. Information on animal care activities is distributed through all information media by the USDA Office of Communications and/or regional information offices of the Department. Separate mailing lists are prepared and maintained for mailings to industries affected by animal care regulations, associations of pet owners and animal lovers, humane societies, and the general public.

During 1973, six press releases were issued on program changes that affected licensees and registrants, and nine releases, on legal actions taken by APHIS to enforce the Animal Welfare Act.

APHIS also distributed five leaflets and bulletins to the public during the year. Titles available are:

1. APHIS Likes Animals, a 1-page reprint reviewing all animal care activities.
2. Regulating Animal Care in the Pet Industry, a 6-page illustrated narration for a slide set of interest principally to pet dealers.
3. Fifty Questions and Answers for Pet Dealers About Animal Care Regulations (nine pages).
4. What Animal Exhibitors Should Know About Licensing and Registering Under the Animal Welfare Act (eight pages).
5. Selection and Care of Common Household Pets (AIB-332), a 24-page elementary guide to pet owners on the characteristics and basic requirements of pets.

USDA's taped television series, Across the Fence, presented a 10-minute segment on animal care enforcement during 1973. The tape was telecast in Washington, on August 11 and 14, and sent to 130 other stations for airing at their convenience.

Exhibits that explain animal care enforcement were shown at four conventions and trade shows during 1973. They consist of easy-to-handle wall hangings or table-top-exhibits.

## Public Correspondence

The Animal Care Staff has several secretaries who spend most of their time typing letters in response to the many inquiries from Congress, affected industries or the general public on various aspects of animal care and humane law enforcement. During 1973, the staff answered 399 Congressional inquiries, 73 inquiries from affected industries, and about 4,000 inquiries from the general public.



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The Animal Welfare Act requires the attending veterinarian at registered research institutions to be responsible for the health of laboratory animals and to assure the use of adequate pain-relieving drugs.



# APPENDIX

Table 1.--Number of active licensees and registrants (1973)

State	Licensed dealers	Holding facilities	Animal exhibitors		Registered research facilities
			Licensed	Registered	
TOTAL U.S. . .	<u>4,287</u>	<u>125</u>	<u>286</u>	<u>604</u>	<u>865</u>
Alabama . . .	17	-	4	-	5
Alaska . . . .	-	-	-	3	1
Arizona . . .	9	-	-	6	6
Arkansas . . .	15	-	2	1	2
California . .	44	-	49	13	76
Colorado . . .	52	-	2	14	20
Connecticut .	15	-	6	9	16
Delaware . . .	8	-	-	1	9
Florida . . . .	79	-	14	59	15
Georgia . . . .	2	-	5	5	6
Hawaii . . . .	-	-	2	4	6
Idaho . . . . .	10	-	6	1	2
Illinois . . .	157	-	8	21	73
Indiana . . . .	33	-	12	3	16
Iowa . . . . .	516	4	1	5	7
Kansas . . . .	1451	23	5	3	15
Kentucky . . .	7	-	2	6	3
Louisiana . .	3	-	4	2	10
Maine . . . . .	8	-	1	4	7
Maryland . . .	42	-	3	10	15
Massachusetts	70	-	5	12	53
Michigan . . .	18	-	6	46	28
Minnesota . .	77	-	4	36	19
Mississippi . .	2	-	1	1	2
Missouri . . .	725	-	6	10	22
Montana . . . .	5	-	1	1	3
Nebraska . . .	77	8	1	1	5
Nevada . . . .	2	-	-	7	1
New Hampshire	4	2	3	5	4
New Jersey . .	43	8	6	17	54
New Mexico . .	6	20	1	3	5
New York . . .	86	-	26	11	103
North Carolina	22	-	5	5	10

Table 2.--Number of cancelled licenses and inactive registrations (1967-1973)

State	Licensed dealers	Animal exhibitors		Registered research facilities
		Licensed	Registered	
TOTAL U.S.	<u>552</u>	<u>18</u>	<u>18</u>	<u>101</u>
Alabama . . . . .	4	-	-	3
Alaska . . . . .	-	-	-	1
Arizona . . . . .	2	-	-	-
Arkansas . . . . .	3	-	-	-
California . . . . .	8	3	1	13
Colorado . . . . .	8	-	-	4
Connecticut . . . . .	7	-	-	4
Delaware . . . . .	5	-	-	-
Florida . . . . .	7	-	-	2
Georgia . . . . .	-	-	-	1
Hawaii . . . . .	-	-	-	1
Idaho . . . . .	-	-	-	-
Illinois . . . . .	21	-	-	7
Indiana . . . . .	10	2	-	1
Iowa . . . . .	24	-	-	1
Kansas . . . . .	49	-	-	1
Kentucky . . . . .	6	-	-	-
Louisiana . . . . .	-	-	-	1
Maine . . . . .	1	-	-	-
Maryland . . . . .	20	-	-	3
Massachusetts . . . . .	11	-	1	3
Michigan . . . . .	8	3	1	8
Minnesota . . . . .	12	-	-	1
Mississippi . . . . .	-	-	-	-
Missouri . . . . .	85	1	1	3
Montana . . . . .	1	-	-	-
Nebraska . . . . .	17	-	-	1
Nevada . . . . .	4	-	-	-
New Hampshire . . . . .	3	-	1	-
New Jersey . . . . .	11	-	-	2
New Mexico . . . . .	-	-	-	-
New York . . . . .	28	-	1	7
North Carolina . . . . .	10	-	-	2

Table 3.--Number of inspections (1973)

State	Prelicensing	Routine	Searches
TOTAL U.S.	<u>3501</u>	<u>10965</u>	<u>6001</u>
Alabama . . . . .	15	78	1
Alaska . . . . .	-	2	-
Arizona . . . . .	2	55	2
Arkansas . . . . .	6	22	3
California . . . . .	76	516	3
Colorado . . . . .	40	303	113
Connecticut . . . . .	8	65	13
Delaware . . . . .	5	55	-
Florida . . . . .	110	436	219
Georgia . . . . .	8	84	31
Hawaii . . . . .	3	37	4
Idaho . . . . .	8	29	-
Illinois . . . . .	115	627	631
Indiana . . . . .	29	107	-
Iowa . . . . .	403	474	845
Kansas . . . . .	1366	1390	14
Kentucky . . . . .	6	118	400
Louisiana . . . . .	11	92	5
Maine . . . . .	3	52	-
Maryland . . . . .	23	305	57
Massachusetts . . . . .	30	330	146
Michigan . . . . .	34	267	59
Minnesota . . . . .	53	313	189
Mississippi . . . . .	-	20	11
Missouri . . . . .	390	610	748
Montana . . . . .	3	19	2
Nebraska . . . . .	53	155	44
Nevada . . . . .	-	20	1
New Hampshire . . . . .	3	23	-
New Jersey . . . . .	17	146	20
New Mexico . . . . .	9	47	3
New York . . . . .	80	764	314
North Carolina . . . . .	38	116	613
North Dakota . . . . .	1	70	8
Ohio . . . . .	78	368	102

State	Received	Processed
TOTAL U.S. . . . . .	<u>18</u>	<u>13</u>
California . . . . .	2	2
Illinois . . . . .	1	-
Iowa . . . . .	2	2
Kansas . . . . .	1	1
Louisiana . . . . .	1	1
Massachusetts . . . . .	1	1
Michigan . . . . .	2	2
New Jersey . . . . .	2	2
Ohio . . . . .	2	-
Pennsylvania . . . . .	1	1
South Dakota . . . . .	1	1
Wisconsin . . . . .	2	-

Table 5.--Animals used in experimentation (1973)--(Con.)

State	Number of registrants	Number of all animals	Number of animals by species			
			Dogs	Cats	Primates	Other
Oklahoma . . . . .	7	3,410	875	231	165	2,139
Oregon . . . . .	9	5,521	965	811	1,246	2,499
Pennsylvania . . . . .	60	95,619	12,057	5,318	3,640	74,604
Rhode Island . . . . .	8	2,841	1,085	349	94	1,313
South Carolina . . . . .	3	9,007	3,528	683	767	4,029
South Dakota . . . . .	2	1,341	89	122	-	1,130
Tennessee . . . . .	10	18,126	3,091	658	118	14,259
Texas . . . . .	18	68,266	15,231	2,087	2,662	48,286
Utah . . . . .	6	3,291	1,322	375	21	1,573
Vermont . . . . .	7	2,377	307	170	8	1,892
Virginia . . . . .	15	21,964	3,701	2,345	1,305	14,613
Washington . . . . .	14	425	36	50	10	329
West Virginia . . . . .	1	2,865	350	30	30	2,455
Wisconsin . . . . .	23	24,271	4,402	870	1,965	17,034
Wyoming . . . . .	3	357	13	11	-	333
Puerto Rico . . . . .	1	143	143	-	-	-
Virgin Islands . . . . .	-	-	-	-	-	-
Dist. of Columbia.	6	3,249	1,241	853	53	1,155

Table 6.--"Other" animals used in experimentation (1973)--(Con.)  
 (A tabulation of animals listed as "other" in Table 5)

State	Rabbits	Hamsters	Guinea Pigs	Wild Animals
New Mexico. . . .	12	4,000	-	-
New York . . . .	47,666	38,621	53,324	9,230
North Carolina. .	3,095	2,594	4,304	75
North Dakota . .	539	20	714	-
Ohio . . . . .	7,827	8,200	10,539	1,113
Oklahoma. . . . .	562	193	1,384	-
Oregon. . . . .	952	479	471	597
Pennsylvania. . .	28,798	11,119	33,887	800
Rhode Island. . .	534	720	58	1
South Carolina. .	1,762	900	1,123	244
South Dakota. . .	348	500	282	-
Tennessee . . . .	8,513	4,449	1,089	208
Texas . . . . .	17,039	26,824	3,883	540
Utah. . . . .	1,353	50	170	-
Vermont . . . . .	1,087	339	463	3
Virginia. . . . .	8,237	1,269	4,272	835
Washington. . . .	192	7	130	-
West Virginia . .	630	350	1,475	-
Wisconsin . . . .	6,495	4,767	5,583	189
Wyoming . . . . .	98	19	84	132
Puerto Rico . . .	-	-	-	-
Virgin Islands. .	-	-	-	-
Dist. of Columbia	800	194	108	53

Table 7--Experiments involving pain to animals (1973)--(Con.)

State	Number of Registrants	Number of Experiments	Number of Experiments							Wild Animals	
			Dogs	Cats	Primates	Rabbits	Hamsters	Guinea Pigs			
Montana . . . .	3	-	-	-	-	-	-	-	-	-	-
Nebraska . . . .	5	24	1	-	-	-	23	-	-	-	-
Nevada . . . . .	1	-	-	-	-	-	-	-	-	-	-
New Hampshire . .	4	-	-	-	-	-	-	-	-	-	-
New Jersey . . . .	54	8,246	130	-	205	4,831	-	100	2,980	-	-
New Mexico . . . .	5	-	-	-	-	-	-	-	-	-	-
New York . . . . .	103	378	228	23	25	64	25	25	13	-	-
North Carolina . .	10	22	-	-	19	-	-	3	-	-	-
North Dakota . . .	3	-	-	-	-	-	-	-	-	-	-
Ohio . . . . .	56	-	-	-	-	-	-	-	-	-	-
Oklahoma . . . . .	7	-	-	-	-	-	-	-	-	-	-
Oregon . . . . .	9	-	-	-	-	-	-	-	-	-	-
Pennsylvania . . .	60	323	69	2	201	50	-	1	-	-	-
Rhode Island . . .	8	-	-	-	-	-	-	-	-	-	-
South Carolina . .	3	-	-	-	-	-	-	-	-	-	-
South Dakota . . .	2	-	-	-	-	-	-	-	-	-	-
Tennessee . . . .	10	90	-	-	-	-	3	-	90	-	-
Texas . . . . .	18	470	119	18	-	260	-	65	-	-	8
Utah . . . . .	6	-	-	-	-	-	-	-	-	-	-
Vermont . . . . .	7	-	-	-	-	-	-	-	-	-	-
Virginia . . . . .	15	57	4	-	47	-	4	-	2	-	-
Washington . . . .	14	-	-	-	-	-	-	-	-	-	-
West Virginia . . .	1	-	-	-	-	-	-	-	-	-	-
Wisconsin . . . . .	23	343	-	-	6	47	-	20	270	-	-
Wyoming . . . . .	3	-	-	-	-	-	-	-	-	-	-
Puerto Rico . . . .	1	-	-	-	-	-	-	-	-	-	-
Virgin Islands . . .	-	-	-	-	-	-	-	-	-	-	-

SOUTHEAST REGION

Regional director:

Dr. Milton J. Tillery  
Hyattsville, Maryland

Area Veterinarians in Charge:

Area 7  
Dr. W. E. Ivey  
P.O. Box 510  
548 U.S. Courthouse  
Nashville, Tennessee 37202

States covered: Kentucky,  
Tennessee

Area 8  
Dr. Claude Nelson  
P.O. Box 1120  
400 Milner Building  
Lamar and Pearl Streets  
Jackson, Mississippi 39205

States covered: Mississippi,  
Alabama

Area 9  
Dr. O. L. Kelsey  
P.O. Box 11598  
Columbia, South Carolina 29211

States covered: North Carolina  
South Carolina, Georgia

Area 10  
Dr. W. W. Bird  
P.O. Box 660400  
Miami Springs, Florida 33166

States covered: Florida,  
Puerto Rico, Virgin Islands

SOUTH CENTRAL REGION

Regional director:

Dr. Paul Becton  
Hyattsville, Maryland

Area Veterinarians in Charge:

Area 11  
Dr. C. J. Mikel  
1421 Federal Building  
115 Northwest 6  
Oklahoma City, Oklahoma 73102

States covered: Oklahoma, Arkansas  
Louisiana

Area 12  
Dr. E. S. Cox  
Room 301  
702 Colorado Street  
Austin, Texas 78701

States covered: New Mexico,  
Texas



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Sample Answer to Inquiry  
UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
VETERINARY SERVICES  
FEDERAL CENTER BUILDING  
HYATTSVILLE, MARYLAND 20782

Dear Mr. \_\_\_\_\_:

This is in reference to your recent letter concerning the welfare of animals.

The Department is concerned for proper care of animals. Passage of the Animal Welfare Act of 1970 now provides for expanded coverage to promote adequate care and "creature comforts" for animals used in research and those sold by wholesale dealers for pets. The Act also covers exhibition animals.

As authorized by the Act, the Department has minimum standards with respect to handling, housing, feeding, watering, sanitation, ventilation, shelter from extremes of weather and temperature, separation by species, and adequate veterinary care. Every person licensed or registered by the Department under the Act must comply with the above minimum requirements or be subject to prosecution. Department personnel make periodic unannounced inspections to ensure compliance. Congress stated that such inspections must be made by Department personnel.

Government agencies must abide by the law and the regulations promulgated by the Department to enforce the law. This is required by Section 14 of the Act which states: ". . . any Department agency, or instrumentality of the United States having laboratory animal facilities shall comply with the standards promulgated by the Secretary for a research facility."

We are forwarding a "Fact Sheet" on the beagle experiment which explains the purpose of the experiment, why the test must be conducted, an explanation of debarking and a description of the animal quarters used for the animals in the experiment.

We appreciate your comments on the welfare of animals. We believe all animals, wherever they are found, should be treated in a humane manner.

The Department does and intends to continue enforcing vigorously the provisions of the Animal Welfare Act to prevent the mistreatment of any animals covered by the Act.

Sincerely,

B. C. Swindle  
Senior Staff Veterinarian  
Animal Care Staff