



# APHIS' Animal Care Report

United States Department of Agriculture • Animal and Plant Health Inspection Service

It's been a while since our last issue, but now the Animal and Plant Health Inspection Service's (APHIS) Animal Care (AC) Report is back and packed full of updates on our activities over the last year. Thanks to additional funding from Congress, the number of AC inspectors in the field has risen to 82 after reaching an all-time low of 64 in 1999. We are also moving forward with plans to consolidate the Central and Western regions, eventually closing the AC offices in Sacramento and Fort Worth. This consolidation will organize the AC into two regions based at Raleigh, NC, and Ft. Collins, CO. AC is already operating out of Raleigh in the East and should complete its move to the new APHIS regional hub in Fort Collins in June 2002.

This report includes information directly from our inspectors in the field, highlighting the personal actions and initiatives that make AC more than an ordinary Federal program. In addition to words from the field, we have some exciting information coming from our headquarters office in Riverdale, MD, including our new paperless filing option now available over the Internet.

The APHIS AC Report is for you: the public, the industry, and all parties interested in animal welfare and the APHIS AC program. At this time, the report is released both on our Web site ([www.aphis.usda.gov/ac](http://www.aphis.usda.gov/ac)) and via U.S. mail. In the future, we intend to make this a paperless report that will be available via e-mail and on our Web site. If you would like to receive this report in the future, please e-mail your name, organization, and e-mail address to Jim Rogers at [jim.d.rogers@aphis.usda.gov](mailto:jim.d.rogers@aphis.usda.gov). Also, if you would like to see specific items in upcoming reports or send us a comment, please feel free to e-mail Jim at the above address.

Sincerely,

W. Ron DeHaven  
APHIS Deputy Administrator for Animal Care

## Stronger Policy on Confiscation of Suffering Animals

On July 26, 2000, AC issued a memorandum to its inspectors to reinforce AC's responsibility to confiscate suffering animals. The memo empowered inspectors, in conjunction with their supervisors, to relieve the suffering of animals through confiscation

when a facility does not take action on a prior warning from AC. Shortly thereafter, AC personnel initiated several confiscations:

- On Sept. 1, AC confiscated 15 large cats and 2 watusi cattle from an unlicensed exhibitor in Pennsylvania.
- On Sept. 19, AC presented a letter of intent to confiscate nearly 250 dogs to an unlicensed dealer in Wisconsin. The owners agreed to surrender most of the dogs to the American Humane Association.
- On Sept. 20, AC presented an unlicensed dealer in South Dakota with an intent to confiscate 51 dogs. The owner chose to surrender the dogs to the Sioux Falls Humane Society.
- On Sept. 27, AC presented an unlicensed dealer in Kansas with an intent to confiscate 152 guinea pigs and 30 rabbits. The owner agreed to surrender the animals to the Wichita Humane Society and the Ise Memorial Animal Shelter in Lawrence.
- On Dec. 28, AC confiscated three tigers and two lions from a licensed exhibitor in Iowa. This action followed several animal deaths as well as inspections showing lack of food, poor housing, and inadequate sanitation. The animals were relocated to a facility in Texas, and the exhibitor surrendered his license.

## The Latest on the AC Technology Front

### Paperless Reporting for Researchers

AC is offering electronic filing of APHIS form 7023, Annual Report of Research Facility, for fiscal year 2001 animal use. The Animal Welfare Act (AWA) requires facilities to file that form no later than December 1 every year. Instructions on how to complete electronic filing will be mailed out by APHIS' AC program by September 17.

"Electronic reporting will save facilities from worrying about duplicate copies and relying on regular mail to get their information to us," said W. Ron DeHaven, deputy administrator for AC. "Because data submitted electronically will go directly to our database, information will be more accurate, and we will be able to save time and money by not using resources to input the data."

The Government Paperwork Elimination Act of 1998 requires Federal agencies to make all their forms available for electronic filing no later than October 21, 2003. "We had been working toward electronic filing before that law was passed, so we are well ahead of the game," DeHaven added.

AC is moving forward on other electronic information projects as well. In FY 2000, AC made its Web page accessible to the visually disabled, being the first APHIS program to do so as required by the 1998 amendments to the Rehabilitation Act. AC inspection reports conducted after October 1, 2001, will be publicly accessible through the APHIS E-FOIA Web page. Reports will not be available for 21 days while they are processed and reviewed by the regional offices. The first reports will be available in late October, assuming no technical issues arise.

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Paper copies of new reports and previous reports will still be available through AC's regional offices.

In the future, all AWA facilities will also be able to submit APHIS forms 7003/7011, Application for License/Registration, electronically to apply and renew licenses or registration under the AWA.

If you have questions about reporting information or access to inspection data, contact your AC regional office or send an e-mail to [ace@aphis.usda.gov](mailto:ace@aphis.usda.gov).

## **The AC Report Goes Electronic**

Right now, APHIS' AC Report is posted on the AC Web site as well as sent to subscribers via the postal service. At this time, AC is working to achieve a paperless report. This will help cut costs and speed up the distribution of information. We are asking current subscribers and others interested in receiving the AC Report to e-mail their name, organization, and e-mail address to Jim Rogers at [jim.d.rogers@aphis.usda.gov](mailto:jim.d.rogers@aphis.usda.gov). Our goal is for the report to be completely electronic by this time next year. This will include continued posting of the report online, a mass e-mail of the report, and an automatic process for subscriber registration.

## **Meetings and Inspector Training**

### **Elephant Management**

In July 2001, AC sponsored a 4-day elephant management course in San Diego. The course was held at the San Diego Zoo, the San Diego Wild Animal Park, and a private elephant facility called Have Trunk Will Travel.

Twenty APHIS veterinarians and AC inspectors attended the course, which consisted of classroom work and field trips to the involved facilities, as well as hands-on experiences with elephants. The course covered such diverse topics as protected and free contact, methods of housing and training elephants, diets for elephants, foot care, natural history, breeding and conservation of wild and captive elephants, veterinary care, and other related subjects.

This is the fifth elephant management course to be sponsored by AC since 1998. The other courses were held in Seattle with the Point Defiance Zoo and Aquarium and the Seattle Zoo, in San Diego with the San Diego Zoo and Wild Animal Park and Have Trunk Will Travel, in Tampa and Orlando with Busch Gardens, Disney's Animal Kingdom, and Ringling Brothers' elephant breeding facility, and in Ft. Worth with the Fort Worth Zoo, the Caldwell Zoo in Tyler, and the Cameron Park Zoo in Waco.

## **Inspection Report Database**

As of summer 2001, all 82 AC Inspectors have completed training on AC's upgraded licensee and registrant database. The upgraded database will allow inspectors in the field to transmit their inspection reports electronically. This eliminates the need to mail inspection reports to the regional office and speeds up the review process. The upgraded database will be fully activated in October 2001.

## **USDA Has Strong Presence at AVMA Conference**

The U.S. Department of Agriculture (USDA) was represented by four program areas at the 2001 conference of the American Veterinary Medical Association (AVMA) July 14–17. AC and Veterinary Services staffs, USDA's Food Safety and Inspection Service, and USDA's National Agricultural Library's Animal Welfare Information Center all sent representatives.

"Veterinary professionals are very important to AC in getting the word out about our programs," said Dr. DeHaven. "Small animal practitioners can pass on information to their clients about safe airline travel for their animals, and specialists in research can educate their clients or facilities about compliance." Other practitioners include the attending veterinarians for regulated facilities, who need to stay up to date on policies and regulations.

AC provided information on several topics, including pet travel, licensing and regulation under the AWA, general information about the Horse Protection Act, and AWA compliance inspections.

## **Compliance: The Right Stuff**

On September 14, 2001, the California Biomedical Research Association, the California Society for Biomedical Research, and APHIS AC will present a 1-day conference at the University of California at Davis entitled Compliance: The Right Stuff. The conference is cosponsored by the National Institutes of Health's (NIH) Office of Lab Animal Welfare (OLAW) and will include speakers from public, private, and Government interests. Topics to be discussed include

- The Association for Assessment and Accreditation of Laboratory Animal Care Site Visit Process—How To Be Sure You've Got the Right Stuff
- APHIS–AC's Role in Ensuring Facilities Have the Right Stuff
- Models of AC and Use Programs in Universities and Industry
- Current Compliance Issues From the Perspective of NIH–OLAW

The conference will include plenary sessions and informal workshops that allow participants to ask tough questions and get honest feedback. For

registration materials and information, contact the California Biomedical Research Association at (916) 558–1515, or via e-mail at [achilcott@ca-biomed.org](mailto:achilcott@ca-biomed.org)

## **In the Field: AC Inspectors Across the Nation**

### **"Jimmy" Gets a New Home**

After spending many years in an enclosure at an unlicensed pet store in Connecticut, "Jimmy" a capuchin monkey, is in a new home at a licensed facility in Florida. Connecticut AC Inspector Jan Baltrush worked closely with Jimmy's owner, various rescue groups, AWA licensees, and USDA's lawyers to relocate the animal as a condition for moving forward with Jimmy's owner on settlement negotiations. Despite the APHIS case against the owner for unlicensed exhibition, and Baltrush's recommendations for enforcement action, the owner trusted her and requested that she check out possible homes for Jimmy. After researching the possibilities and providing the owner with the best information, he took Baltrush's advice and moved Jimmy to a much better situation down South.

### **Persistence Pays Off**

The territory of Veterinary Medical Officer Robert Brandes, D.V.M., covers not only part of Florida but also Puerto Rico, where he travels four or five times a year to conduct inspections. One of the facilities he inspects in Puerto Rico is a large, federally funded primate research center. Funding issues, administrative red tape, hurricanes, and inertia worked together to produce noncompliance in many of its facility and animal care areas. In tandem with NIH and Puerto Rican officials, Brandes was able to bring to light several noncompliant items and, working with the facility, was able to initiate solid changes that will help ensure the well-being of the primates on site. As of the last inspection, the primate center had

- Built new group housing for primates, including large natural-grass enclosures;
- Paved all dirt roads with asphalt;
- Hired additional full-time employees and veterinarians;
- Made its enclosure sanitation system operational;
- Bought and begun using additional cleaning equipment and supplies;
- Resurfaced and repainted most concrete enclosures and committed to fixing all of them;
- Constructed a new perimeter fence around the entire facility; and
- Bought a new truck to transport primates.

### **Improved Conditions for Imported Birds**

With an invitation from APHIS' Veterinary Services program, Florida Veterinary Medical Officer Sylvia Taylor, D.V.M., used her knowledge of birds and animal welfare to help Veterinary Services plan renovations to the Miami Animal Import Center. Veterinary Services regulates the importation of all pet birds into the United States to prevent the introduction of highly contagious poultry diseases such as exotic Newcastle disease. All pet birds of non-U.S. origin imported into the United States (except from Canada) are required to have a USDA import permit and a current health certificate issued by the government of the exporting country and to undergo a 30-day quarantine in a USDA animal import quarantine facility. Taylor worked with the Miami port veterinarian and inspected the current holding site, making numerous recommendations to improve conditions for birds being held in the 30-day quarantine.

### **AC Aids U.K. Vets During Foot-and-Mouth Disease Outbreak**

During the recent outbreak of foot-and-mouth disease (FMD) in the United Kingdom, AC responded to the that country's request for emergency veterinary assistance. AC sent 15 Veterinary Medical Officers from all over the United States. These veterinarians each spent 30 days in the U.K., working with both local veterinarians and other vets from around the world to contain and eradicate FMD. The following AC veterinarians participated: Ray Flynn (Colorado), Betsy Lyons (Hawaii), Harvey McKelvey (Idaho), Michael Smith (California), Denise Sofranko (New Mexico), David Kelly and Ellen Magid (North Carolina), Nasry Faltas (New Jersey), Ron Zaidlicz (New Hampshire), Clem Dussault (Vermont), Robert Brandes and Sylvia Taylor (Florida), Norma Harlan (Pennsylvania), Michelle Williams (Alabama), and Kurt Hammel (Michigan).

### **AC Inspectors Respond to the Houston Flood**

AC Inspector Charlie Currer and Veterinary Medical Officer Earnest Johnson both from Texas, were in constant contact with their licensed and registered facilities to offer assistance with the damage and destruction caused by last June's tropical storm and flood in Houston. Currer worked

directly with the Texas Gulf Coast Disaster Preparedness Committee to assist with cleanup and repairs.

### **Regulatory Update**

The items listed below are under consideration and not yet published in the Federal Register, were published in the Federal Register and are open for comment, or were previously open for comment and are now under review by the Department.

#### *Notices*

- Final policy on training and handling of potentially dangerous animals (under review)
- Nonhuman Primate Environment Enhancement Policy (under review)
- Submission of Itinerary by Traveling Exhibitor and Prairie Dog Supplier (under review)
- Current List of Designated Qualified Person (DQP) Programs and licensed DQPs (published 7/01/01)

#### *Proposed Rules*

- Animal Welfare: Marine Mammals; Nonconsensus Language and Interactive Programs (being drafted)
- Horse Protection (under review)
- Regulate Only Wholesale Dealers of Hunting, Breeding and Security Dogs (reviewing comments)
- Identification of Unweaned Puppies and Kittens (under review)
- Regulation of Rats, Mice, and Birds (pending)
- Removal of the Acclimation Certificate Requirement (being drafted)
- Amend the Definition of Exhibitor (under review)
- Incorporate AVMA Standards for Euthanasia (under review)
- Veterinary Medical Records (under review)
- Minimum Age for Exotic Canids and Felids (on hold)
- Scar Rule (under review)
- Define Pain, Distress, and Distressful Procedure (under review)

#### *Final Rules*

- Revisions to Licensing Requirements (under review)

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