



# APHIS' Animal Care Report

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

As we begin a new year here in Animal Care (AC), I am looking forward to working with both animal industry and animal interest groups on Animal Welfare Act (AWA) issues. While I have been with the Animal and Plant Health Inspection Service (APHIS) for quite some time, this will be my first experience with AC. As the acting deputy administrator, I will be looking both inside and outside of the agency to determine the course AC will take in the future. My office is always open and, as can be seen in this report, I believe working cooperatively is essential to our overall mission of enforcing the AWA.

As usual, AC is constantly on the front line, involved in situations where animals are found to be suffering. For example, we are currently investigating a facility where more than twenty exotic cats were confiscated after it was determined they were suffering in poor living conditions and inadequate care. With the cooperation of the local humane society and licensees in another state, APHIS was able to quickly seize the animals and place them.

In an effort to provide desired information faster to the public and our stakeholders, AC will begin distributing the *AC Industry Report* exclusively via the Internet.

I think the new year has the potential to be a good one for AC and, if we work together, a great one for all of us.

Sincerely,

Chester A. Gipson  
Acting Deputy Administrator for Animal Care

## Animal Care Program Gets New Acting Deputy Administrator

As of November of last year, Chester A. Gipson D.V.M. was assigned to be the acting deputy administrator of AC. The previous deputy administrator, Ron DeHaven, is currently working as the acting associate administrator for all of APHIS.

Gipson has more than 20 years services with the U.S. Department of Agriculture and has held numerous positions both on staff and in the field. He previously held the position of associate deputy administrator for Veterinary Services (VS) and director for the Animal Health Programs staff, also in VS.

Gipson received a Masters degree from the University of Florida in Gainesville and a Doctorate of Veterinary Medicine Degree from the Tuskegee University in Tuskegee, AL.

## Animal Care Receives Budget and Staff Increase

Following years of limited funding, AC reached an all time low of just 64 inspectors in 1999. Things have improved dramatically since then, and for the year 2002, APHIS AC will have a total of 96 inspectors, an all time high. This is the highest number of inspectors AC has had in recent years and it is due, in part, to an increase in budget. APHIS received approximately \$5 million more than last year's budget. About 25 percent of the increase came in the form of a special appropriation from Congress. This money will be used to fund the new inspector positions and purchase equipment for use in the field.

## Animal Care Training

### Monkey Business

The Association of Primate Veterinarians Workshop was held in Baltimore this past October and was attended by primate experts and veterinarians from around the world. AC sent several veterinarians to the conference. Topics of discussion included various medical and social aspects of primates. During the conference, AC staff members discussed a recent survey of primate housing that shows that 65 percent of primates in research are pair/group housed, with only 13 percent having no contact with other primates.

## Cooperative Efforts

### Exotic Cats in Need of Good Home

In November 2001, the Black Hills Humane Society in Rapid City, S.D. impounded 26 exotic cats from a local exhibitor. State law there provides the Humane Society broad powers to enter properties and impound animals. The exhibitor, licensed by the USDA, allowed the animals to languish without adequate supervision. This led to exposure to the elements, inadequate food, and inadequate care. These cats were found to be suffering and, therefore, the USDA issued a confiscation order in late November. Shortly thereafter, USDA confiscated the animals which became the property of the USDA. That ownership was then transferred to the Black Hills

Humane Society which quickly found homes for the animals that could provide them with the proper care as required under the AWA. Thanks to the cooperative efforts of APHIS' local AC inspectors and the Black Hills Humane Society, the animals are out of danger and their owner is under investigation.

### **A Dog That Didn't Fit The Pattern**

At this time, APHIS' Investigative and Enforcement Services (IES) is conducting an investigation into the origins of an animal delivered to a registered research laboratory. This on-going case involves an alert veterinarian and a lab animal that didn't fit the usual profile.

This past year, a U.S. research facility received a shipment of laboratory animals for use in an upcoming project. As each dog was examined, a facility

veterinarian noticed a small sore on the inside thigh of a black labrador. To learn more about the wound, the veterinarian x rayed the dog and found that an old bone fracture had received extensive repairs. The work done on the fracture would have been quite expensive. The x ray showed a pin as well as wires were used on the animal's tibia. These wires caused the sore to appear.

In addition to the repairs to the fracture, the veterinarian noticed that the dog was well mannered, would obey basic commands, and seemed to really like people. It was a people dog. It was obvious that the dog had been trained and had received good care. The veterinarian became concerned the animal was someone's pet, and it was excluded from the research study.

At this point, the veterinarian notified USDA, and IES agents began to trace the dog to its point of origin. IES agents contacted veterinary offices with copies of the x rays and hit the streets with descriptions of the animal. At first, the veterinarian from the research facility allowed the dog to remain there while the investigation continued. Time passed, however, and the animal's original owner had not turned up. Knowing that the dog's owner may still be found and agreeing to return it if that ever happens, a co-worker of the veterinarian has taken the animal into his home. The wires causing the sore on the dog's leg have been removed, and it is currently enjoying its new home and awaiting the outcome of the IES investigation.

### **An Animal's Welfare Crosses Jurisdictions in Oregon**

Tom LeCroy, an AC inspector in Oregon, was contacted by the Oregon State Veterinarian concerning a local complaint alleging the mistreatment and neglect of a tiger in an unlicensed facility in southern Oregon. The Oregon State Veterinarian asked LeCroy if he might have the time to help out at the local level. LeCroy made arrangements to meet a county sheriff at the owner's residence and help investigate the complaint. It was determined the owner was not engaged in any federally regulated activity so he did not need a Federal license. However, people who own exotic animals in Oregon who don't have a Federal license must have one issued by the State. The owner did not have a State license.

Since the owner had been contacted and warned several times previously by the State and still had not obtained an Oregon license, the Oregon State Veterinarian decided to start legal prosecution. The unlicensed owner was given the option of signing over ownership of the tiger to Oregon Tiger Sanctuary or face legal action. LeCroy spent 1 day with the State veterinarian on a fact-finding mission and made several trips to the owner's residence. Acting on the

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State's behalf, LeCroy made numerous attempts to contact the owner and secure the signature on required legal documents. Finally, LeCroy got the transfer papers signed, and the tiger was relocated to the Oregon Tiger Sanctuary.

Due to State and Federal cooperation and a little leg and phone work by an AC inspector, the shared goal of placing the tiger in a licensed facility was accomplished.

## **Animal Care Industry Report Goes Electric**

This is the last paper edition of the Animal Care Industry Report. All reports that follow will be posted on the Animal Care Web site at [www.aphis.usda.gov/ac](http://www.aphis.usda.gov/ac). Also, people interested in receiving the report via e-mail can send their name and e-mail address to [jim.d.rogers@aphis.usda.gov](mailto:jim.d.rogers@aphis.usda.gov) to be added to the e-mailing list.

## **Regulatory Issues**

### **Rats, Mice, and Birds**

The FY 2002 USDA appropriations bill includes language that will permit APHIS to begin the rulemaking process with regards to regulating rats, mice, and birds but the bill prohibits APHIS from issuing a final rule. This prohibition lasts until October 1, 2002.

## **Regulatory Update**

The items listed below are either (1) under consideration and not yet published in the *Federal Register*, (2) were published in the *Federal Register* and are open for comment, or (3) were previously open for comment and are now under review by the Department.

### *Advanced Notice of Proposed Rules*

- Define Pain, Distress, and Distressful Procedure (reviewing comments)
- Nonconsensus Language and Interactive Programs for Marine Mammals (under review)

### *Notices*

- Information Collection: Animal Welfare; Program Evaluation Survey (under review)
- Final policy statement on training and handling of potentially dangerous animals (under review)
- Final statement on environmental enhancement for nonhuman primates (under review)

### *Proposed Rules*

- Horse Protection Act; Scar Rule (under review)
- Submission of Itinerary by Traveling Exhibitor and Prairie Dog Suppliers (drafting)
- Exotic Canids & Felids; Minimum Age (on hold)
- Veterinary Medical Records (under review)
- Identification of Unweaned Puppies and Kittens (under review)
- Horse Protection (under review)
- Include Rats, Mice and Birds in the Definition of Animal (not yet drafted)
- Removal of the acclimation Certificate Requirement (drafting)
- Amend Definition of Exhibitor (on hold)
- Incorporate AVMA Standards for Euthanasia (on hold)

### *Final Rule*

- Revisions of Licensing Requirements (drafting)
- Regulate Only Wholesale Dealers of Hunting, Breeding and Security Dogs (drafting)

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