



United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

APHIS 41-35-071

# Animal Welfare Report

## Fiscal Year 2000

Report of the Secretary of Agriculture  
to the President of the Senate and  
the Speaker of the House of Representatives



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employer.  
Each year, the Secretary of Agriculture reports on administration and enforcement activities under the Animal Welfare Act (AWA) (7 U.S.C. 2131 et seq.) as required by Section 25 of the AWA. The present report covers fiscal year (FY) 2000, from October 1, 1999, through September 30, 2000.

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# REPORT OF FISCAL YEAR 2000 ACTIVITIES

Each year, the Secretary of Agriculture reports on the administration and enforcement of the Animal Welfare Act (AWA) (7 U.S.C. 2131 et seq.) as required by Section 25 of the Act. This report covers such activities for fiscal year (FY) 2000, October 1, 1999, through September 30, 2000.

In addition to identifying facilities and reporting on investigations and inspections as required by Section 25 of the Act, this report provides information on related enforcement and regulatory initiatives. This report and the data and findings in it are not released outside the Federal Government until it has been made public by Congress.

## ***Performance-Based Management***

Under the mandate of the Government Performance and Results Act, the Animal Care (AC) unit of the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) has taken an active role in measuring its effectiveness in meeting the provisions of the AWA. The primary measure used in FY 2000 was the percentage of facilities in compliance with regulations. Based on data available as of November 30, 2000, the overall level of facility compliance

remained about the same, 59 percent in FY 1999 and 58 percent in FY 2000. This change reflects a slight downward trend in compliance figures, mainly in the dealer class. The appearance of lessened compliance may be a result of increased oversight through the Enhanced Enforcement Team, which documented more noncompliances at this type of facility.

The AC management team continued development of several additional measures of program effectiveness. A customer satisfaction survey was conducted for regulated facilities in February 1997 and established a baseline level of satisfaction. Before repeating the facility survey, AC plans to survey animal protection organizations.

# THE AWA: A LEGISLATIVE AND REGULATORY HISTORY

## The Law

In 1966, Congress enacted Public Law (P.L.) 89–544, known as the Laboratory Animal Welfare Act. This law regulated dealers who handle dogs and cats, as well as laboratories that use dogs, cats, hamsters, guinea pigs, rabbits, or nonhuman primates in research.

The first amendment to the Laboratory Animal Welfare Act was passed in 1970 (P.L. 91–579) and changed the name of the law to the AWA. This amendment authorized the Secretary of Agriculture to regulate other warmblooded animals when used in research, exhibition, or the wholesale pet trade.

An amendment in 1976 (P.L. 94–279) prohibited most animal fighting ventures and regulated the commercial transportation of animals. Another amendment was added to the AWA in 1985 as the Improved Standards for Laboratory Animals Act, which was part of the Food Security Act. These amendments required the Secretary to issue additional standards for the use of animals in research.

In 1990, provisions concerning injunctive relief and pet protection were added to the AWA. These two provisions were included in the Food, Agriculture, Conservation and Trade Act of 1990. The injunctive relief provision authorizes the Secretary to seek an injunction to stop certain licensed entities from continuing to violate the AWA while charges are pending. (Injunctions are used in cases of stolen animals and where an animal's health is in serious danger or may become endangered.)

The pet protection provision mandated that the Secretary issue additional regulations pertaining to random-source dogs and cats. (Random source means "dogs and cats obtained from animal pounds or shelters, auction sales, or from any person who did not breed and raise them on his or her premises.")

In April 2000, a Department of Transportation (DOT) law was enacted requiring air carriers to report incidents involving animals. The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (P.L. 106–181, also known as the Federal Aviation Administration [FAA] reauthorization bill) requires carriers to submit monthly reports to the Secretary of Transportation regarding any incidents involving the loss, injury, or death of an animal (as defined by the Secretary of Transportation). The Transportation and Agriculture secretaries will enter into a memorandum of understanding (MOU) to share this information. The law also calls for data based on these incidents to be published as the FAA does for other consumer complaints and incident data.

Provisions of the law also include improving training for air carrier employees concerning the air transport of animals and notifying passengers of the conditions under which the animals are traveling. For example, under the new law, airline personnel would explain the difference in climate between the cargo hold, where the animal is traveling, and the passenger cabin. USDA expects to be working with DOT on developing the MOU, related regulations, and educational materials.

## The Regulations

USDA is charged with developing and implementing regulations to support the AWA. These regulations, which appear in Title 9, Code of Federal Regulations (CFR), Chapter 1, Subchapter A, Parts 1–3, require the licensing of animal dealers, exhibitors, and operators of animal auction sales where animals regulated under the AWA are sold. (Birds and laboratory rats and mice are not currently included in the regulations.)

Licenses are valid unless the licensee terminates the license voluntarily or fails to renew it or an administrative law judge suspends or revokes the license in an enforcement proceeding. Licensing fees for dealers and exhibitors are determined by a graduated schedule listed in the regulations [9 CFR 2.6(5)(c)]. Dealers pay between \$30 and \$750, and exhibitors pay between \$30 and \$300 per year. These fees are deposited as miscellaneous receipts in the U.S. Treasury.

The regulations also require all carriers, intermediate handlers, and exhibitors not subject to licensing and all non-Federal research facilities using animals to register with the Secretary of Agriculture. There is no charge to register. Table 1 in the appendix provides a list of the number of licensees and registrants for each State, Guam, Puerto Rico, and the U.S. Virgin Islands.

All licensees and registrants must provide their animals with care that meets or exceeds USDA's standards for veterinary care and animal husbandry. These standards include requirements for handling, housing, feeding, sanitation, ventilation, shelter from extreme weather, veterinary care, and separation of species when necessary.

Over the years, USDA has made substantive



changes to the AWA regulations. In the late 1980's, USDA amended the requirements pertaining to the use of animals in research. In response to the Improved Standards for Laboratory Animals Act, these amendments established standards for the exercise of dogs and psychological well-being of nonhuman primates. The amendments also set standards to minimize the pain and distress of animals; ensure the proper use of anesthetics, analgesics, and tranquilizers; and require researchers to consider alternatives to painful procedures.

To ensure that these standards are met, the amendments require each research facility to establish an Institutional Animal Care and Use Committee to approve and monitor all research conducted at the institution. USDA published the final regulations for Parts 1 and 2 of Title 9, CFR, Chapter 1, Subchapter A, on August 31, 1989; those for Part 3 were published on February 15, 1991.

USDA published revised standards for guinea pigs, hamsters, and rabbits in final form in the *Federal Register* on July 15, 1990. These standards increased the minimum space requirements for cages and provided additional requirements to protect animals being transported via common carrier.

In 1993, USDA established holding periods for animals in pounds and shelters and certification requirements to ensure that animals have been held for the duration of these periods. The regulations were published as a final rule on July 22, 1993, and became effective August 23, 1993.

In 1997, USDA published a final rule that removed the provisions allowing the permanent tethering of dogs as a means of primary enclosure. The temporary tethering of dogs for health or other reasons is permitted if licensees obtain approval from their AC inspector or regional office. The final rule on this matter went into effect September 12, 1997.

In FY 1998, USDA published new standards pertaining to wire flooring for dogs and cats and revised the AWA temperature requirements, which included clarification of climatic conditions for housing facilities, conveyances used for transportation, and holding areas at airport terminal facilities.

In February 2000, USDA adopted two guides that facilities can use to clarify accepted standards of care for agricultural animals used in nonagricultural research or exhibition. USDA began regulating horses used for biomedical or other nonagricultural research and other farm animals used for biomedical or other nonagricultural research or for nonagricultural exhibition in June 1990. Previously, the standards in Title 9, CFR, Chapter 1, Subchapter A, Part 3, Subpart F, applied. In 1999, USDA requested and received comments on adopting in the regulations two existing guides on standards as they apply to the handling, care, treatment, and transportation of these animals. The guides are the "Guide for the Care and Use of Agricultural Research and Teaching," published by the Federation of American Societies of Food and Science, and the "Guide for the Care and Use of Laboratory Animals," published by the Institute of Laboratory Animal Research. More information on the guides can be found in AC Policy 29, posted on the web at [www.aphis.usda.gov/ac/policy/policy29.pdf](http://www.aphis.usda.gov/ac/policy/policy29.pdf)

In July 1999, USDA published its final decision to not change the definition of "retail pet store" but did decide to license wholesale dealers of hunting, security, and breeding dogs, based on a petition and several thousand comments received during the rulemaking process.

During FY 2000, USDA developed and published several more rules, policies, and other tools to provide more consistent interpretation of the requirements through clarifications and details:

- In October 1999, AC published its final rule on perimeter fencing requirements for animals covered under the AWA, with emphasis on wild and exotic animals. In general, the rule requires a perimeter fence at least 6 feet high for most animals and 8 feet high for dangerous animals, such as elephants, bears, and large cats. All requirements are designed to better contain the animals and to keep out unwanted animals and the uninvited public. For more details, see the section on regulatory initiatives.

- In February 1999, USDA published for comment a proposed rule based on the consensus language regarding marine mammal regulations (subpart E). This language was derived from the negotiated rulemaking committee of stakeholders established under the Federal Advisory Committee Act. USDA reviewed the comments during FY 2000 and expects to publish a final rule in FY 2001. Negotiations regarding these regulations were held in 1995 and 1996 to identify major stakeholders to participate in the committee.
- On July 10, 2000, AC requested comments on possible changes to the pain and distress categorization system and the creation of a definition for "distress" in the AWA regulations. Comments were accepted for 4 months and will be reviewed during FY 2001.
- In FY 2000, AC published a revised draft of the policy regarding training and handling of potentially dangerous wild and exotic animals and accepted comments for 2 months. More than 250 comments were received and are being reviewed.

# HOW USDA ADMINISTERS THE LAW

## *Animal Care*

Within USDA, the APHIS AC program is responsible for administering the AWA. AC's mission is to provide leadership in establishing acceptable standards of care and treatment and to monitor and achieve compliance through educational and cooperative efforts.

The AC program is headquartered in Riverdale, MD, and has regional offices in Raleigh, NC, Fort Worth, TX, and Sacramento, CA. These offices are charged with administering the AWA in each of their respective areas.

In October 1999, the Eastern Region moved to the Centennial Campus of North Carolina State University in Raleigh, NC. This move was in conjunction with APHIS' consolidation of regional offices into hubs in Raleigh, and Fort Collins, CO. In FY 2001, AC's Western and Central Regions will begin consolidation into one region with the new Western Region office in Fort Collins. The current offices in Fort Worth and Sacramento will remain open as satellite offices until the physical office consolidation can be completed.

The map on this page shows AC's regional structure current to the end of this reporting period (September 30, 2000). The box provides the addresses, phone numbers, and fax numbers for all AC offices, as well as AC's homepage on the World Wide Web and e-mail address for incoming correspondence.

### USDA-APHIS-ANIMAL CARE

#### Headquarters Office

4700 River Road, Unit 84  
Riverdale, MD 20737-1234  
Phone: (301) 734-7833  
Fax: (301) 734-4978

#### Eastern Region

920 Main Campus Drive, Suite 200  
Raleigh, NC 27606  
Phone: (919) 716-5532  
Fax: (919) 716-5696

#### Western Region—Fort Collins

1629 Blue Spruce  
Suite 204  
Fort Collins, CO 80524  
Phone: (970) 494-2542  
Fax: (970) 494-2576

#### Western Region—Sacramento

9580 Micron Ave., Suite J  
Sacramento, CA 95827  
Phone: (916) 857-6205  
Fax: (916) 857-6212

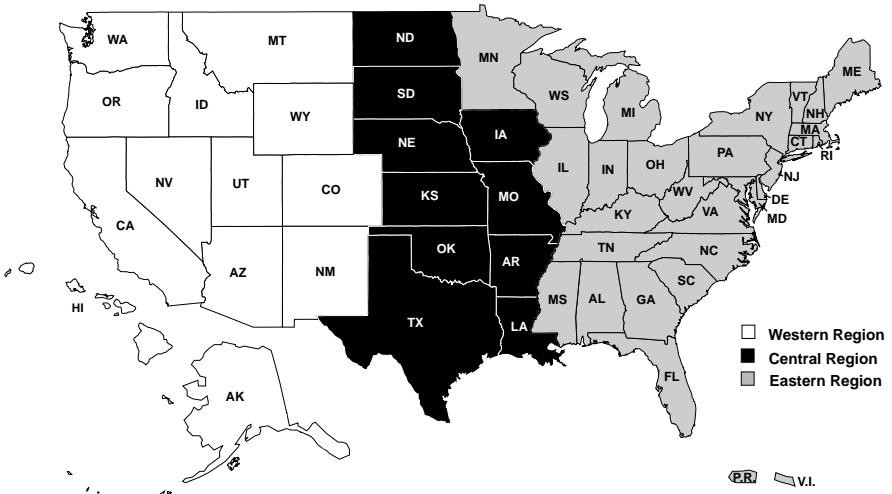
#### Western Region—Fort Worth

P.O. Box 915004 (letters)  
501 Felix Street, Building 11 (packages)  
Fort Worth, TX 76115-9104  
Phone: (817) 885-6923  
Fax: (817) 885-6917

#### World Wide Web Homepage

[www.aphis.usda.gov/ac](http://www.aphis.usda.gov/ac)  
  
**E-mail Address**  
  
[ace@aphis.usda.gov](mailto:ace@aphis.usda.gov)

### ANIMAL CARE



Each regional AC office employs a cadre of field veterinary medical officers and animal care inspectors. The number of field inspector positions at the end of FY 2000 was 75. These employees are highly qualified and have an excellent professional support system and communication network. Many also have specialized interest and expertise in such areas as the care of laboratory animals, zoo animals, or marine mammals.

In enforcing the AWA, APHIS inspectors work closely with other Federal agencies and frequently interact with regulated professional groups, industry organizations, humane groups, the scientific community, and other concerned associations or individuals. In FY 2000, AC personnel attended about 318 industry training sessions and meetings and gave presentations at 127 of them.

The biennial National Work Conference provided practical and diverse training and educational seminars to more than 80 AC personnel April 18–21, 2000, in Oklahoma City. Attendees included field inspectors, supervisors, regional directors, headquarters staff officers, and the deputy administrator.

The program was organized into three areas: nonhuman primates, dangerous animals, and miscellaneous topics (including the basic inspection process). Individual seminars covered thermoregulation in elephants, exhibit design, regulatory and policy updates, transportation issues, carnivores, and violence in the workplace.

## ***AC Appropriations for FY 2000***

In FY 2000, the AC program received appropriations totaling about \$10 million for activities related to animal welfare. The next tabulation shows APHIS' animal-welfare-related appropriations for FY 1995–00 in unadjusted dollars.

## ***Investigative and Enforcement Services***

Complementing AC's efforts is APHIS' Investigative and Enforcement Services (IES) program. IES supports all APHIS programs in the goal of enhancing compliance with agency regulations. Toward this end, IES utilizes comprehensive investigations and sound enforcement actions. IES also works closely with USDA's Office of the General Counsel, other Federal agencies, State and local governments, and industry groups. IES is headquartered in Riverdale and has regional offices in Raleigh and Fort Worth. IES has also begun the process of moving its Western Region office to Fort Collins, where all APHIS western regional offices will be located, beginning in June 2002.

## ***Animal Welfare Information Center***

The National Agricultural Library's (NAL) Animal Welfare Information Center (AWIC) also supports AC's efforts. AWIC was established in December 1986 to provide valuable information pertaining to possible duplication of research involving animals, methods of humane animal care and use, alternatives to the use of live animals in research, and methods to minimize pain and distress to animals. AWIC also provides materials for the training of personnel and other products and services that support the administration and regulatory requirements of the AWA.

## **APPROPRIATIONS FOR ANIMAL WELFARE, FY 1995–2000**

FY	Annual appropriation for enforcement of the Animal Welfare Act
2000	\$10,167,000
1999	\$ 9,175,000
1998	\$ 9,175,000
1997	\$ 9,182,000
1996	\$ 9,185,000
1995	\$ 9,262,000

## **USDA-NAL-AWIC**

AWIC Coordinator  
National Agricultural Library  
10301 Baltimore Blvd.  
Beltsville, MD 20705  
(301) 504-6212

### **E-mail**

[awic@nal.usda.gov](mailto:awic@nal.usda.gov)

## INSPECTION HIGHLIGHTS

AC personnel perform two major types of inspections: prelicensing/preregistration inspections and unannounced compliance inspections.

To determine whether prospective licensees are in compliance with the AWA, AC personnel perform prelicensing inspections of dealers and exhibitors prior to granting them licenses.

### ***Risk-Based Inspection System***

The risk-based inspection system was put into place in February 1998 to support AC's focused inspection strategy, allowing more frequent and indepth inspections at problem facilities and fewer at those consistently in compliance. The system uses several objective criteria, including past compliance history, to determine the inspection frequency at each licensed and registered facility.

Facilities meeting the criteria for low-frequency intervals are subject to inspection once every 2–3 years. Facilities determined to require high-frequency inspections are subject to inspection at least every 6 months. Those in the middle are inspected about once per year. Registered research facilities are inspected at least once per year, as required by the AWA. With this system, AC has been able to provide more in depth inspections and improve the agency's interactions with licensees and registrants—an approach that APHIS firmly believes makes better use of AC's inspection resources.

Preregistration inspections are not required under the Act, but many facilities request AC's consultation. Whenever possible, the program honors these requests to promote the highest level of compliance.

Unannounced compliance inspections are performed at the facilities of all licensees and registrants to ascertain whether they are

operating within the regulations. The AWA requires that APHIS perform at least one compliance inspection per year at each research facility that uses animals in experimentation. For nonresearch facilities, APHIS uses a risk-based system to determine inspection frequency.

### ***Class B Dealer Tracebacks Continue Success***

Since FY 1993, APHIS has conducted an intensive traceback effort on dogs sold by random-source, class B animal dealers. These dealers, who supply animals to the research community, typically obtain them from pounds and shelters, pet owners who wish to relinquish ownership, and other legitimate sources. However, there has always been concern that some of these dealers may be trafficking in stolen animals.

Under the AWA, random-source dealers are required to maintain accurate records of the acquisition and disposition of their animals. APHIS' traceback effort has focused on making sure these records are accurate and complete. To optimize this effort, APHIS has conducted quarterly inspections of all random-source dealers since the traceback project went into effect in 1993. AC has also taken stringent enforcement action when violations are found. Since 1993, this includes issuing nearly \$525,000 in fines, suspending 6 licenses and revoking 12 more. At the end of FY 2000, six cases were under investigation.

The fruits of this effort have been tremendous. From FY 1993 through 2000, the percentage of animals traced back to their original source has increased from a little more than 40 percent to nearly 95 percent. (This figure does not include cases still being investigated at the end of FY 2000.) At the same time, the number of random-source dealers has

decreased from more than 100 to fewer than 25. Moreover, the number of class B dealers under investigation has decreased from a high of 260 in 1992 to only 7 in FY 2000.

Efforts have also been stepped up by regularly conducting tracebacks on dogs and cats originating with owners, not just random sources such as shelters.

In May 2000, AC instituted several new practices to help assure researchers that the dogs and cats they purchase from licensed animal dealers originate from proper sources. First, at least two to three tracebacks are now conducted during every inspection, whether the animals were obtained from random sources or original owners or breeders. Second, the traceback process now includes asking the original source of the animal what they were told about the animal's future disposition (e.g., were they told the animal could be used in biomedical research).

For FY 2000, 85.1 percent of all tracebacks were successful in reaching the original owners. This number is lower than previous years because one dealer closed his business and did not have records available. That closure terminated 25 tracebacks before completion. Among tracebacks involving other dealers in FY 2000, 95.6 percent were successful. The number of Class B dealers selling dogs and cats to research was 23 at the end of FY 2000.

## ***Complaints and Searches***

In addition to conducting routine inspections of licensed and registered facilities, AC personnel also follow up on public complaints to determine whether regulated animals are receiving proper care and/or the animal owner(s) should be licensed or registered. APHIS regards these activities as critical to successful enforcement of the AWA.

AC personnel also conduct periodic searches to determine whether there are regulated facilities operating without a license or registration. In FY 2000, AC conducted 165 compliance inspections at unlicensed and unregistered facilities.

## ***After the Inspection***

If AC inspectors discover conditions and records that are not in compliance with the regulations, AC typically establishes a deadline for correcting these items and provides it in the inspection report. In conjunction with IES, AC immediately investigates any situations that may have caused unnecessary animal suffering or death. Inspectors are required to reinspect any facilities where areas of noncompliance were found that have, or are likely to have, an impact on the well-being of the animals. If the conditions remain uncorrected, AC documents them for possible legal action. In cases of unrelieved suffering, AC may confiscate the animals or arrange for their placement elsewhere. With the assistance of IES, AC acted in four such situations in FY 2000, following the reinforcement of this authority.



## ***New Database Up and Running***

Beginning in FY 2000, AC converted to its new Licensing and Registration Information System (LARIS) and discontinued the old system January 1, 2000. This new database provides a single storage center for licensing, registration and inspection data on regulated parties throughout the United States. At the end of FY 2000, AC was testing the application whereby field inspectors have access to the database and will enter inspection data directly from remote locations using their laptop computers.

A prototype Web-based application has been developed and is being further refined to allow public access to portions of the database through the Internet. Once this is finalized, inspection reports for each facility will be available. The new system allows for an array of data to be collected, including a complete compliance history, most common areas of noncompliance, and number of animals involved in those situations. Our risk-based inspection system has been incorporated into

the database, and inspectors now get reports on their facilities based on risk-based criteria. Additionally, at any given time, management can track the status of compliance and prelicensing inspections.

The next tabulation details the number of inspections of licensees and registrants conducted during FY 2000. Subsequent tabulations chronicle the number of different types of inspections conducted from FY 1998 through FY 2000.



## FY 2000 AWA INSPECTIONS

	Total number of facilities (and sites) <sup>1</sup>	Number of inspections by category		Total number of facilities (and sites) <sup>1</sup>	Number of inspections by category
<b>Inspections for Compliance<sup>2</sup></b>					
Dealers <sup>3</sup>	4,612 (4,618)	4,306	Prelicensing and preregistration inspections	NA	1,651
Research facilities	1,265 (1,545)	1,557	Compliance inspections of unlicensed, unregistered facilities	NA	165
Exhibitors	2,508 (2,822)	2,463	Attempted inspections of dealers and exhibitors	NA	547
Intransit handlers	302 (422)	105			
Intransit carriers <sup>4</sup>	86 (800)	296	<b>Total</b>		<b>2,363</b>
<b>Total</b>	<b>8,773 (10,207)</b>	<b>8,727</b>	<b>Total of Inspections for Compliance and Other Inspections</b>		<b>11,090</b>

<sup>1</sup> See the glossary of terms for the definitions of "facility" and "site."

<sup>2</sup> Inspections for compliance are unannounced inspections and re-inspections. These do not include prelicensing or preregistration inspections, auction market observations, or attempted inspections. (Prelicensing/preregistration inspections are announced. Observations of licensed and unlicensed auction markets are made to locate unlicensed dealers. Attempted inspections could not be performed for certain reasons—usually because there was no one available at the facility when the inspector arrived unannounced.)

<sup>3</sup> Dealer inspections for FY 2000 include auction market inspections, which were previously counted under a separate category.

<sup>4</sup> Intransit Carriers is a category representing commercial airlines. Each airline may have two or more animal transportation sites at each airport it serves. Due to frequent changes in airline activities and other factors, the number of sites may vary.

## COMPLIANCE INSPECTIONS, FY 1998–2000

FY	Total facilities (sites)	Total compliance inspections
2000	8,773 (10,207)	8,727
1999	7,958 (9,897)	9,096
1998	7,773 (10,393)	10,709

## TOTAL INSPECTIONS CONDUCTED PER YEAR, FY 1996–2000

FY	Total inspections conducted
2000	11,090
1999	11,263
1998	13,136
1997	15,898
1996	15,989

## PRELICENSING/PREREGISTRATION INSPECTIONS, FY 1998–2000

FY	Total	Dealers	Exhibitors	Research	Not Yet Classified
2000	1,651	938	369	7	337
1999	1,418	991	427		
1998	1,579	1,074	505		

# INSPECTIONS BY BUSINESS TYPE

## *Animal Dealers*

Dealers are individuals who sell regulated animals for research or teaching, wild or exotic animals for exhibition or as pets, or domestic pet animals in wholesale channels. Dealers can hold a USDA license in one of two classes.

Class A licensees are those individuals who deal only in animals that they breed and raise. Class B licensees may breed and raise some of the animals they sell but typically buy and resell animals from other sources. Class B dealers include brokers, operators of auction sales, and "bunchers."

The numbers of Class A and B licensed dealers and sites for FY 1998 through 2000 are listed in the next tabulation. The number of inspections conducted during the same period is shown on chart 1. It should be noted that, of the 1,005 Class B dealers, APHIS estimates that fewer than 25 supply dogs and cats to research. In FY 1993, there were more than 100 such dealers.

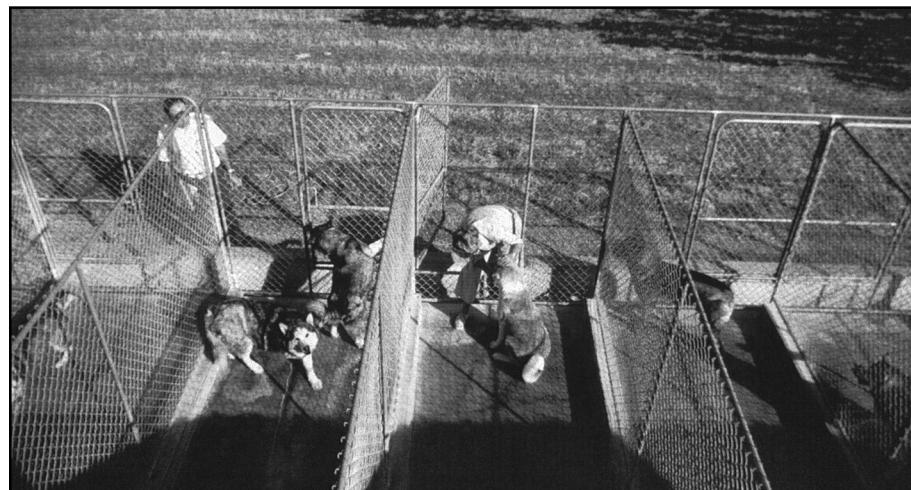
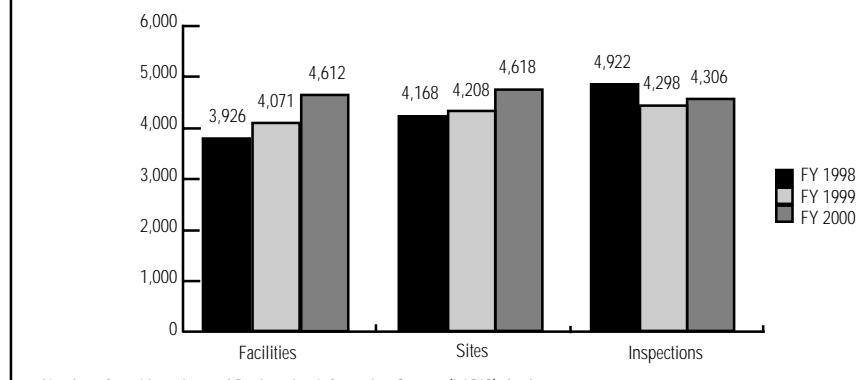


Chart 1

### A AND B DEALERS, FY 1998–2000



### LICENSED DEALERS, FY 1998–2000

FY	Total dealers (sites)	Class A dealers (sites)	Class B dealers (sites)
2000	4,612 (4,618)	3,433 (3,391)	1,179 (1,227)
1999	4,071 (4,208)	2,986 (3,039)	1,085 (1,169)
1998	3,926 (4,168)	2,892 (3,024)	1,034 (1,144)

## Animal Exhibitors

Animal exhibitors may either be licensed or registered under the AWA. Licensed exhibitors are those entities that either obtain or dispose of animals in commerce and exhibit them for compensation. Registered exhibitors do not buy, sell, or transport animals and do not accept compensation.

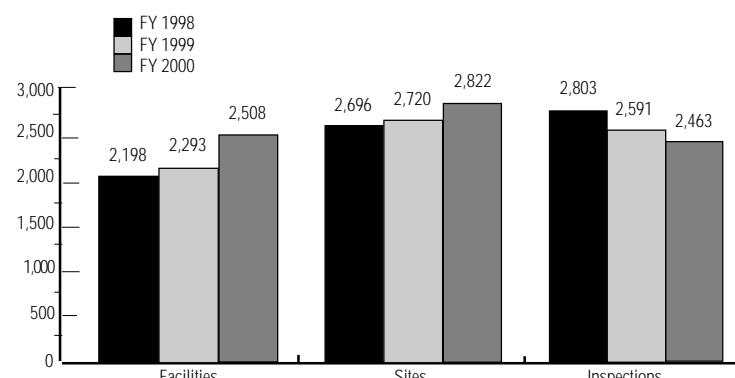
Licensed exhibitors typically operate animal acts, carnivals, circuses, public zoos, "roadside zoos," and marine mammal displays. Many of the animals exhibited are species not native to the United States (e.g., nonhuman primates and exotic cats), but exhibited species may also include domestic farm animals and wild animals native to this country.

With increasing attention focused on the care and handling of elephants in recent years, AC has made it a priority to provide special training to its personnel on these issues. The course provided instruction on elephant care and handling to about 60 inspectors and other AC personnel, bringing the total number of employees trained to about 75. In FY 2001, AC will provide materials from prior courses and an introductory elephant session to new field employees as part of a basic training course for new inspectors.

Listed next are the numbers of exhibitors and sites regulated from FY 1998 through 2000. Chart 2 shows the number of inspections for the same period.

Chart 2

### EXHIBITORS, FY 1998–2000



Numbers from Licensing and Registration Information System (LARIS) database

### REGULATED EXHIBITORS, FY 1998–2000

FY	Exhibitors		
	Total exhibitors (sites)	Licensed (sites)	Registered (sites)
2000	2,508 (2,822)	2,489 (2,803)	19 (19)
1999	2,293 (2,720)	2,276 (2,701)	17 (19)
1998	2,198 (2,696)	2,178 (2,673)	20 (23)

## ***Carriers and Intermediate Handlers***

Carriers registered with USDA include airlines, motor freight lines, railroads, and other shipping businesses. Registered intermediate handlers are ground freight handlers.

Intermediate handlers usually (1) provide services for animals between consignor and carrier and from carrier to consignee, and (2) care for animals delayed in transit.

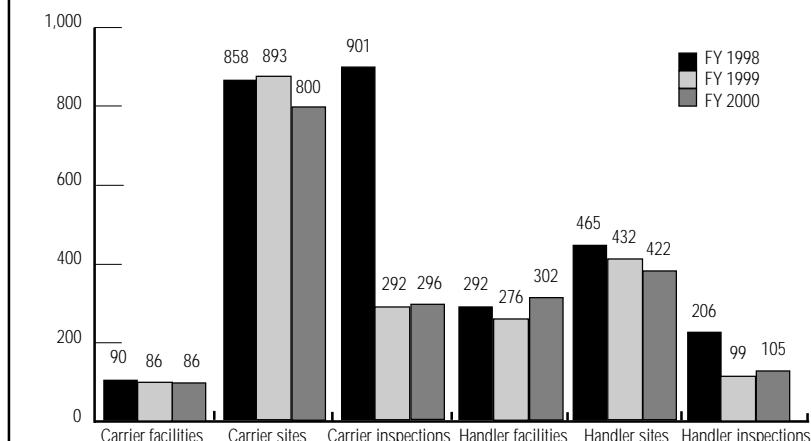
The numbers of sites and registered carriers and intermediate handlers for FY 1998 through 2000 are listed next. Chart 3 shows the number of carrier and intermediate handler inspections for the same period.



Chart 3

<b>SITES AND REGISTERED CARRIERS AND INTERMEDIATE HANDLERS, FY 1998–2000</b>		
FY	Registered carriers (sites)	Intermediate handlers (sites)
2000	86 (800)	302 (422)
1999	86 (893)	276 (432)
1998	90 (858)	292 (465)

**CARRIERS AND INTERMEDIATE HANDLERS, FY 1998–2000**



Numbers from Licensing and Registration Information System (LARIS) database



## ***Research Facilities***

Research facilities that use animals include hospitals, colleges and universities, diagnostic laboratories, and many private firms in the pharmaceutical and biotechnology industries.

All research facilities are required to comply with the AWA's regulations. Even though Federal facilities are not registered or inspected under the AWA, they are responsible for maintaining compliance with the AWA's regulations and standards. The AWA requires that non-Federal research facilities receive at least one inspection per year to determine compliance.

In spring 2000, AC's field and supervisory veterinary medical officers attended a course at the Riverdale, MD, headquarters about issues

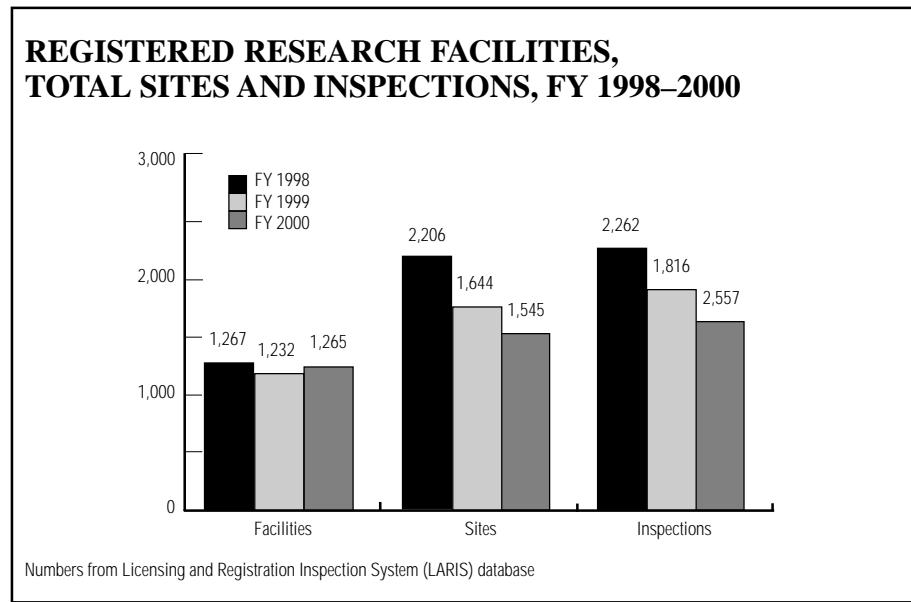
related to inspecting research facilities. The course was designed to clarify AC policies and help veterinary medical officers better understand the issues faced by these facilities. Topics included Institutional Care and Use Committees, pain and distress issues, and alternative methods of research. This was the first AC-sponsored conference since 1991 dedicated strictly to inspecting programs that use animals in research, testing, and training and the many complex and evolving issues associated with them.

Throughout 2000, AC worked on guidelines for its field personnel to use when conducting AWA inspections of research facilities. This guide, along with the dealer inspection guide,

will increase the quality and uniformity of reports, inspection, and enforcement in the AC program. The guide covers such areas as how to document inspection findings and how to conduct exit interviews. AC veterinary medical officers and a research facility consultant reviewed a draft of the research inspection guide and the development team is reviewing their comments. AC expects to distribute the guide in FY 2001.

The next tabulation lists the numbers of research facilities and sites for FY 1998 through 2000. Chart 4 shows the number of inspections of research facilities conducted during this period.

Chart 4



**REGISTERED RESEARCH  
FACILITIES AND SITES,  
FY 1998–2000**

FY	Total facilities	Total sites
2000	1,265	1,545
1999	1,232	1,644*
1998	1,267	2,206

\*Decrease in number of sites is due primarily to new definition of "site" implemented in FY 1999.

## *Reports From Research Facilities*

Each research facility registered under the AWA and each Federal research facility is required to submit an annual report, signed and certified by the Institutional Official, covering the previous fiscal year. The report lists the number and species of animals used in research, testing, and experimentation and indicates whether pain-relieving drugs were administered. If such drugs were not administered for procedures that cause pain or distress, the report must explain why their use would have interfered with the research or experiment.

The report must also assure that professionally acceptable standards, including the appropriate use of pain-relieving drugs, were followed and that each principal investigator considered alternatives to painful or distress-causing procedures.

Moreover, the report must demonstrate that the facility adhered to the AWA regulations or that any exception to such adherence was justified by the principal investigator and approved by the Institutional Animal Care and Use Committee prior to experimentation.

Chart 5 shows the number and species of animals used in research during FY 2000. This number excludes birds and laboratory rats and mice, as well as farm animals used exclusively in agricultural research. Chart 6 shows the number of animals used in research that involved no pain or distress, or that involved pain or distress alleviated with drugs, or that involved pain or distress without relief because use of pain-relieving drugs would interfere with the results of the research or testing.

Tables 1 through 5 of the appendix contain further details. Table 6 reports the total of animals used by research since this report was first published in 1973.

Data from 22 research facilities are not included in this report because they either did not submit a report or submitted it too late for tabulation. Of these facilities, 5 were Federal facilities and 17 were non-Federal. It is a violation of the AWA for a facility, whether active or inactive, not to submit a timely report. AC initiated the appropriate corrective actions.

Chart 5

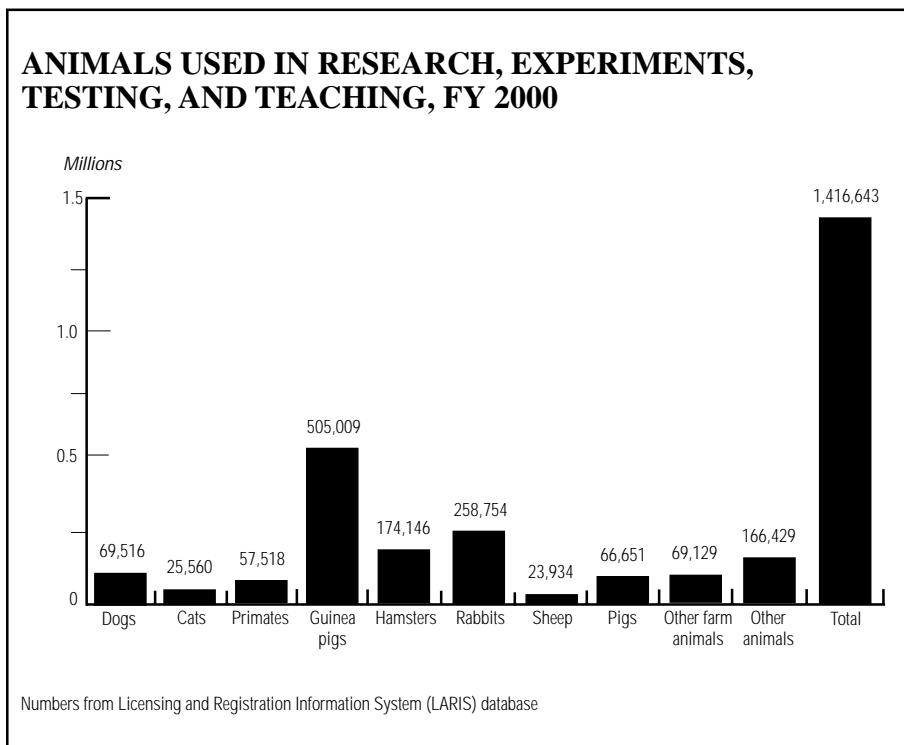
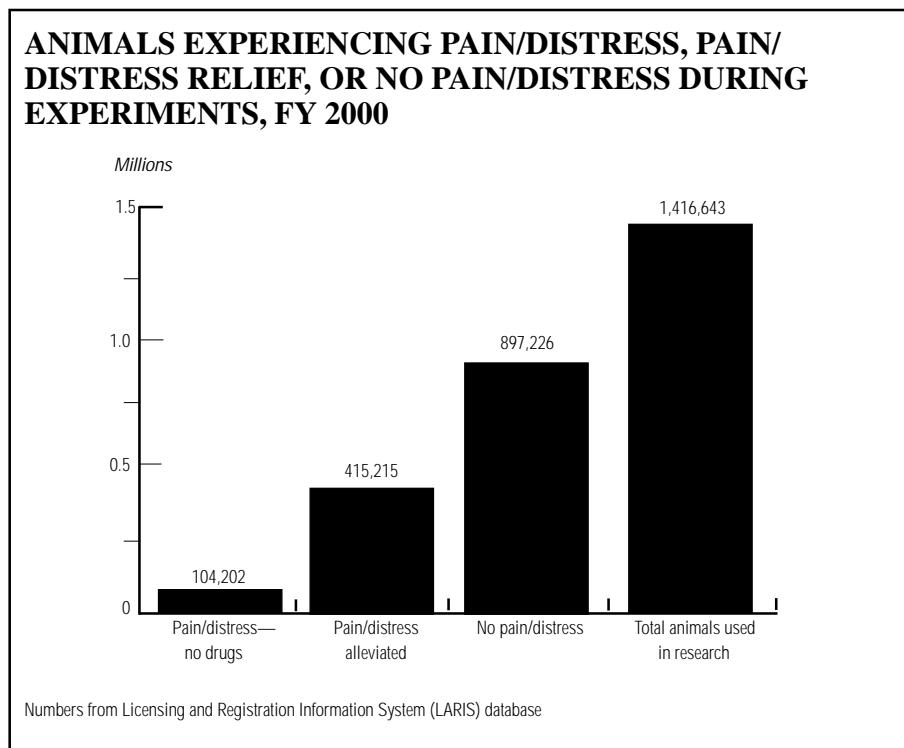


Chart 6



# ENFORCEMENT HIGHLIGHTS

APHIS' IES personnel investigate alleged violations when corrective measures have not been taken by licensees or registrants to come into compliance with the AWA.

Investigations disclosing violations are acted on in a variety of ways depending on their severity. Many infractions can be settled with an official notice of warning or a stipulation offer. (Stipulations allow alleged violators to pay a fine, have their license suspended, or both, in lieu of formal administrative proceedings.)

Cases warranting formal prosecution undergo Department-level review for legal sufficiency prior to issuance of a formal administrative complaint. Formal cases may be resolved by license suspensions, revocations, cease-and-desist orders, civil penalties, or combinations of these penalties through administrative procedures.

## ***Stronger Cases Through Digital Photography***

In FY 2000, all AC inspectors were equipped with digital and traditional cameras as part of the effort to build stronger cases. Video cameras are also used for some cases. Photographs are routinely taken if the inspectors encounter serious or continuing noncompliant items. Digital photos can be transmitted to the regional office electronically for quick consultation. These photos can then be transferred onto a computer and shared with the facility. Like other photographs, digital photography and video footage can be submitted with an investigation report and could become part of an investigation.

## ***APHIS' Enforcement Strategy Yields Results***

In FY 2000, AC and IES continued to employ a two-pronged enforcement strategy. For licensees and registrants who show an interest in improving the conditions for their animals, AC and IES actively pursue innovative penalties that allow the individuals to invest part or all of their monetary sanctions in facility improvements, employee training, research on animal health and welfare issues, or other initiatives to improve animal well-being. In doing so, USDA enables the individuals to immediately improve the conditions for their animals while sending a clear message that future violations will not be tolerated. Prior to 1997, most such fines were

either suspended or paid directly to the U.S. Treasury, but neither of those results directly improved the care provided to the affected animals.

On the other hand, for licensees and registrants who do not improve the conditions for their animals, AC and IES pursue enforcement action. Such action typically includes significant monetary penalties and/or license suspensions or revocations. It may also include confiscation of their animals and relocation of the animals to another facility if they are found to be suffering.



## **Maximum Fines Raised Due to Inflation**

In January 2000, the fines for AC and other APHIS programs were adjusted for inflation according to the terms of the Federal Civil Penalties Act of 1990 (P.L. 101–410). This action raised the maximum civil penalty for a violation of the AWA from \$2,500 to \$2,750 per count. The Act requires the Secretary of Agriculture to take inflation into account once every 4 years when adjusting civil penalties.

## **High-Priority Designation**

An important component of AC and IES' enforcement strategy is the high-priority designation for certain cases. Cases are deemed high priority based on the following criteria:

- Severity of animal suffering (death or severe injury),
- Past compliance history of facility,
- Potential public or animal safety or health concerns,
- Abusive or potentially violent nature of licensee or registrant,
- Type of facility and species of animal involved, and
- Severity of the issue resulting in extensive public interest.

When a case is given this designation, AC, IES, and USDA's Office of the General Counsel put special emphasis on the investigation and enforcement of a case to expedite its resolution. This measure has been successful in shortening the timeframes of significant cases and providing quicker relief for animals protected under the AWA.

### **NUMBERS OF ENFORCEMENT ACTIONS CONDUCTED AND RESOLVED, FY 1998–2000**

#### **Cases Investigated and Reviewed**

FY	Cases	Submitted to IES staff	Submitted for formal prosecution
2000	329	184	101
1999	313	188	104
1998	456	416	60

#### **Cases Resolved**

FY	Official warnings	Stipulations offered/settled	Administrative law judges' decisions
2000	125	175/100	70
1999	143	89/79	28
1998	219	100/66	82

#### **Sanctions Imposed**

FY	Fines imposed by administrative law judges	Fines imposed by stipulation	Revocations, suspensions, and disqualifications
2000	\$343,301	\$110,848	23
1999	\$585,162	\$ 82,152	16
1998	\$378,900	\$ 89,763	34

<sup>1</sup> Some of the 100 stipulations settled in FY 2000 were originally offered in FY 1999.

## **The Results Are in the Numbers**

Through this multifaceted enforcement strategy, the AC and IES staffs and the Office of the General Counsel have been able to virtually eliminate the backlog of AWA cases awaiting resolution through the formal administrative process. The results have been shorter timeframes for resolving cases and the ability to expedite high-priority cases. In addition, APHIS imposed penalties totaling more than \$454,000.

The tabulation above provides detailed information on the number of enforcement actions conducted and resolved during FY 2000. In the tabulation, it should be noted that "Cases Submitted," "Cases Resolved," and "Sanctions Imposed" are those actions that actually occurred during the fiscal year even though many of the settled cases were submitted in previous years. This numerical disparity occurs because it takes a case considerable time to work its way through the legal system and appeals process.

## PUBLIC OUTREACH

In FY 2000, AC carried out numerous outreach activities, including moving forward with its multiyear public affairs campaign to educate

and inform all program stakeholders about the AWA and AC's role in enforcing the law. To support this effort, the program is upgrading

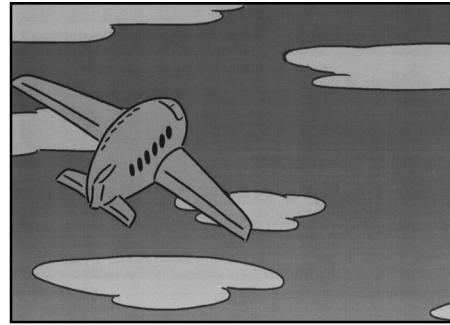
all of its existing public affairs materials and creating new products where needed.

### ***Safe Pet Travel Video Flies the Airwaves***

This year, AC completed and distributed an animated television public service announcement (PSA) on safe pet travel on airlines. It is estimated that by November 26, 2000, the 30-second spot had aired in 43 States and garnered more than \$1.2 million worth of free air time. Stations in Bermuda also televised the PSA. Web users can watch the PSA on the APHIS Web site at [www.aphis.usda.gov/lpa/video/index.html](http://www.aphis.usda.gov/lpa/video/index.html). The video will continue to be shown in FY 2001, and other Web sites are expected link to the video and other information.

AC employees continued to distribute the "Traveling With Your Pet" brochure at travel shows and referred people to the Web posting ([www.aphis.usda.gov/oa/pubs/petravel.pdf](http://www.aphis.usda.gov/oa/pubs/petravel.pdf) or [.html](http://www.aphis.usda.gov/travel/index.html)). The APHIS travel page ([www.aphis.usda.gov/travel/index.html](http://www.aphis.usda.gov/travel/index.html)) also provides a link to the brochure and video.

In addition to brochures and kennel stickers with a toll-free information number, AC also distributed factsheets on pet travel. In March 2000, AC issued a Spanish-language version of the "Traveling With Your Pet" factsheet.



### ***Industry Report in Fourth Year of Updating Stakeholders***

During FY 2000, AC continued distributing its Animal Care Report to nearly 2,000 mail subscribers, double its distribution in FY 1997. In addition to providing these free mail subscriptions, AC referred many people to the report's posting on the Internet. This report, which provides brief overviews on all key issues affecting AC's administration of the AWA, is sent to program stakeholders to keep them up to date on current program initiatives. Editions of the report were prepared for spring and summer. The Internet posting is on the AC home page ([www.aphis.usda.gov/ac](http://www.aphis.usda.gov/ac)).

### ***Automated Telephone Service Assists Travelers***

More than 2,600 members of the general public used AC's toll free, 24-hour, automated telephone voice response service (800-545-USDA) during FY 2000. This service provides information on the humane handling of cats and dogs during transport, including the AWA requirements for temperature, shipping documents, food and water, and cage sizes. Designed to be user friendly, the service is recommended for inclusion in training courses for airline cargo handlers, ticket agents, and supervisors.

## **AC Makes Web Site Accessible to the Visually Impaired**

In an effort to make information accessible to more people, the AC Web site was the first in APHIS to move into compliance with a new requirement for government agencies to make their Web sites usable by the visually disabled. Some of the new site functions include features that allow visitors to hear descriptions of pictures on the page or listen to text on the page. The audio is processed through special hardware on the user's system.

Many hours went into the update to comply with Section 508 of the Rehabilitation Act (P.L. 105-200), which was amended in 1998. The amendment requires that Federal agencies' electronic and information technology be accessible to people with disabilities, including employees and members of the public.

## **Dealer Inspection Guide Available on the Web**

In April 2000, AC posted on its Web site the comprehensive guide it provided field personnel to use when conducting AWA inspections of animal dealers. AC hopes that doing so will allow interested dealers quick access to information that can help them better comply with regulations. Posting the guide allows interested individuals an easy way to see what AC inspectors are looking for during inspections.

## **AC Holds Public Meeting on Training and Handling**

On March 7, 2000, USDA opened its doors for a public meeting to discuss a new AC policy for training and handling potentially dangerous animals and other concerns of the public and regulated parties. About 150 people attended the meeting which included presentations, a question and answer session with the deputy administrator, and breakout sessions on specific topics. The four topics in those sessions were training and handling potentially dangerous animals, zoos, circuses, and one combined session for dealers, research, and transportation. Comments received during the meeting related to training and handling of potentially dangerous animals were considered in policy development equally to those responding in writing to a *Federal Register* notice.

## **Answering Public Inquiries**

APHIS received and responded to thousands of inquiries about animal welfare from individual citizens, concerned groups and Members of Congress in FY 2000. Other Federal agencies and the Office of the President also referred animal welfare concerns to APHIS for response. The next tabulation lists the number of animal welfare written inquiries received by APHIS during FY 1998 through 2000. Totals do not include the hundreds of inquiries received through e-mail.

### **ANIMAL WELFARE CORRESPONDENCE RECEIVED BY APHIS, FY 1998–2000**

FY	Correspondence received/dispatched by headquarters	Correspondence received/dispatched by regional offices
2000	3,589	26,667
1999	3,729	24,092
1998	2,495	22,280

## **Assisting the Media**

AC assisted media officials in various ways during the year. Altogether, the program fielded more than 1,300 calls from members of the media and issued 89 press releases. Most of these releases provided information concerning enforcement actions taken against licensees and registrants (such as settlements, fines, suspensions, and confiscations). The other releases addressed matters such as AC's request for comments about possible changes in the pain and distress categorization system for animals used in research.

AC personnel gave numerous local and national television, radio, newspaper, and magazine interviews on various issues relating to the AWA. These included interviews with CNN, NBC's Dateline, *The New York Times*, *USA Today*, and the *Wall Street Journal*. Outreach efforts also included interviews with local media outlets in all 50 States and several foreign countries.



## **E-FOIA Access to AC Data**

APHIS is working diligently to develop a new Web-accessible Freedom of Information Act (FOIA) site where inspection reports could be obtained. These reports can also be obtained from the regional offices at the addresses listed earlier in this report.

On October 1, 1999, LARIS, AC's new database, became functional. The LARIS database will maintain inspection reports and other information, such as numbers of violations. Once the E-FOIA site is operational, inspection reports and certain licensee and registrant information will be available by electronic retrieval.

In addition to work on the database and E-FOIA site, AC and APHIS also responded to numerous animal-welfare-related FOIA requests the old-fashioned way. The next tabulation lists the number of FOIA requests received for the past 3 fiscal years.

### **ANIMAL-WELFARE-RELATED FOIA REQUESTS RECEIVED BY APHIS, FY 1998–2000<sup>1</sup>**

FY	FOIA Requests
2000	734
1999	824
1998	657

<sup>1</sup>These figures include both official FOIA requests processed through APHIS' FOIA office, with assistance from AC at headquarters, and requests for inspection reports processed through AC's regional offices. Before FY 1997, all such requests were processed through the FOIA office at headquarters.

<sup>2</sup>Figure corrected from FY 1999 annual report.

## **Liaison With Other Federal Agencies**

AC serves on the Interagency Research Animal Committee, whose members come from Federal agencies involved in the care and use of animals in biomedical research. This committee is responsible for interagency coordination of animal care-and-use concerns and for making contributions to policy development. It also acts as a forum for information exchange and regulation development.

AC also maintains close working relationships with other Federal agencies that deal with animals on regulation and enforcement of the AWA. APHIS cooperated on numerous issues with the U.S. Department of Health and Human Services' National Institutes of Health, CDC,

and Food and Drug Administration; the Department of Defense; the Department of Veterans Affairs; the Marine Mammal Commission the U.S. Department of Commerce's National Marine Fisheries Service; the U.S. Department of the Interior's FWS; and the Environmental Protection Agency.

In July 2000, a veterinary medical officer from the U.S. Army Veterinary Corps completed a yearlong detail to AC to work on research-related policies. In addition, he was a key staff officer and was instrumental in the success of the research training AC held for its employees in the spring.

## **Cooperating and Communicating With Stakeholders**

In December 1999, AC, the New Jersey Association for Biomedical Research, and the Pennsylvania Society for Biomedical Research jointly sponsored an education symposium in Plainsboro, NJ, for about 140 professionals from the three organizations. The main topics—animal care and use in research, regulation, and oversight—were addressed in panel discussions and smaller workgroups. AC and representatives from the National Institutes of Health, the Food and Drug Administration, the Institute for Laboratory Research, and the Association for Assessment and Accreditation of Laboratory Animal Care International provided information about their roles in regulation and oversight.

In FY 2000, APHIS and the research community cosponsored a research preceptorship program that sent three AC veterinarians to 4 intensive weeks of training at various research facilities and teaching institutions, plus 1 week at national meeting of the American Association for Laboratory Animal Science. This very successful

program, which previously had been conducted at research facilities in the Northeast, moved to the Chicago area in FY 1999.

AC personnel also attended and participated in national meetings held by various organizations, including the American Zoo and Aquarium Association, the American Association of Laboratory Animal Science, the Applied Research Ethics National Association, the College of Laboratory Animal Medicine Forum, the North American Veterinary Conference, Public Responsibility in Medicine and Research, the Scientists Center for Animal Welfare, and the Society of Marine Mammalogy.

AC personnel attended about 318 industry meetings and training sessions in FY 2000 and presented papers or informal talks at 127 of them. APHIS employees also staffed an exhibit booth at several of these meetings to answer questions and provide information on AC's enforcement of the AWA. In addition,

AC's deputy administrator represented the United States as an observer of the Council of Europe's meetings for developing minimum standards of care for laboratory animals used by member countries.

In addition, AC personnel actively interacted with organizations such as the American Zoo and Aquarium Association, the American Veterinary Medical Association, the National

Association for Biomedical Research, Americans for Medical Progress, the American Association of Zoo Veterinarians, the Alliance for Marine Mammal Parks and Aquariums, the Association for the Assessment and Accreditation of Laboratory Animal Care International, the International Association of Aquatic Animal Medicine, the Association of Aquatic Life Support System Operators, and the Scientists Center for Animal Welfare.

Additional cooperators include The Humane Society of the United States, the Animal Welfare Institute, the American Humane Association, the Animal Protection Institute, the Association of American Veterinary Medical Colleges, and the Air Transport Association. AC is also represented in the United States Animal Health Association and has members on both its animal welfare and captive wildlife committees.

## ***AWIC Focuses on Educational Efforts***

In FY 2000, staff from the Animal Welfare Information Center (AWIC) responded to about 18,000 requests for information and publications, including copies of the AWIC Newsletter, and distributed more than 40,000 published documents to requesters. The AWIC Newsletter was published twice in FY 2000 and sent to its 7,500 subscribers in the United States and 38 foreign countries.

AWIC's Web site ([www.nal.usda.gov/awic](http://www.nal.usda.gov/awic)) underwent many changes during the year. The site and its subject areas were restructured, and many documents and new links were added. Press releases from USDA's Agricultural Research Service and APHIS regarding research relevant to animals were regularly updated. Other news links were also posted when the information was relevant and from reliable sources. The average number of hits per month grew from about 30,000 in October 1999 to more than 58,000 in September 2000. Hits for the year totaled 559,000 with about 27 million kilobytes transferred.

AWIC trained 645 individuals in its workshop entitled "Meeting the Information Requirements of the Animal Welfare Act," which is held at the National Agricultural Library in Beltsville, MD, three times a year and at other locations throughout the country upon request. In FY 2000, two military

facilities, four universities, two pharmaceutical companies, and one Federal regulatory agency requested the training.

The electronic slides used for the workshop have been made available on the AWIC Web site. Other institutions are using them in their training materials. In addition, AWIC continues to develop materials for an online, interactive tutorial that will provide access to the workshop for more of the regulated community.

AWIC staff exhibited and disseminated materials at eight conferences and meetings during FY 2000. Roughly 5,300 pieces of information were distributed to around 3,600 attendees.

AWIC continues to distribute original information products directed to the regulated community. The Center produced seven new documents and either printed or made them available through the AWIC Web site. The following publications are available in both print and electronic form:

- Allen, T; Kreger, M. (September 2000) A revised edition of **Information Resources for Animal Care and Use Committees 1985–1999**. AWIC Resource Series Number 7.

- Kreger, M. (May 2000) **Information Resources for the Care and Use of Invertebrates**. AWIC Resource Series No. 8.
- Larson, J.; Jensen, D. (March 2000) **Audio-Visuals Relating to Animal Care, Use, and Welfare**. AWIC Series No. 2000-01.
- Smith, C. (September 2000) **Animal Welfare and Ethics for Youth and College Agricultural Educators**. AWIC Resource Series No. 6-Revised and Enlarged.

Two new documents are available in electronic format only:

- Swindle, M.; Smith, C. (February 2000) **Information Resources for Swine in Biomedical Research 1990–2000**.
- Krause, W. (April 2000) **Information Resources on the North American Opossum (*Didelphis virginiana*): A Bibliography on Its Natural History and Use and an Animal Model in Biomedical Research**. AWIC Resource Series No. 9.

## REGULATORY AND POLICY INITIATIVES

### *Groups Continue To Push for Coverage of Rats, Mice, and Birds*

In March 1999, the Alternative Research and Development Foundation, a group affiliated with the American Antivivisection Society—with In Vitro International and Kristine Gausz, a college student—filed a lawsuit against USDA seeking an order requiring USDA to revise its regulations issued under the AWA to delete the exclusion of rats, mice, and birds from the regulatory definition of “animal.”

During FY 2000, the U.S. District Court for the District of Columbia denied USDA's motion to dismiss the lawsuit. USDA and the plaintiffs reached a settlement at the end of September 2000.

In the settlement, USDA agreed to initiate and complete the rulemaking process, though no outcome to the process was predetermined. In early October, the court ruled the settlement valid, but in subsequent appropriation legislation, Congress prohibited USDA from taking any rulemaking action during FY 2001.

The issue started in spring 1998, when the Alternative Research and Development Foundation filed a petition that would have USDA exercise its authority under the AWA to regulate rats, mice, and birds.

In January 1999, AC published the petition in the Federal Register to solicit public input on whether rats, mice, and birds should be regulated and, if so, how the increased workload should be prioritized. In March 1999, the comment period was extended through May 28, 1999. By the end of FY 1999, AC had received more than 34,000 comments and was still reviewing them throughout FY 2000. AC has also commissioned a study by the Federal research division of the Library of Congress to determine the potential number of additional facilities that might need to be regulated.



### *Pain Categorization Change and Definition for “Distress” Considered*

On July 10, 2000, AC requested comments on possible changes to the pain categorization system and creation of a definition of “distress” in the AWA regulations. Comments were accepted through November 7, 2000, and will be reviewed in FY 2001. The July 10 *Federal Register* notice is available on the Internet at [www.aphis.usda.gov/ppd/rad/webrepor.html](http://www.aphis.usda.gov/ppd/rad/webrepor.html) under docket 00-005-1.

### *More Options for Alternatives to Painful Procedures*

On June 21, 2000, AC updated its Policy 12, which provides guidance to regulated entities on the requirement that they submit a written narrative of the alternatives considered when painful and/or distressful procedures must be employed in laboratory experiments using animals. The update expands the options beyond the standard database search to include symposiums, conferences, and consultations. The full policy is available on the Internet at [www.aphis.usda.gov/ac/policy/policy12.html](http://www.aphis.usda.gov/ac/policy/policy12.html).

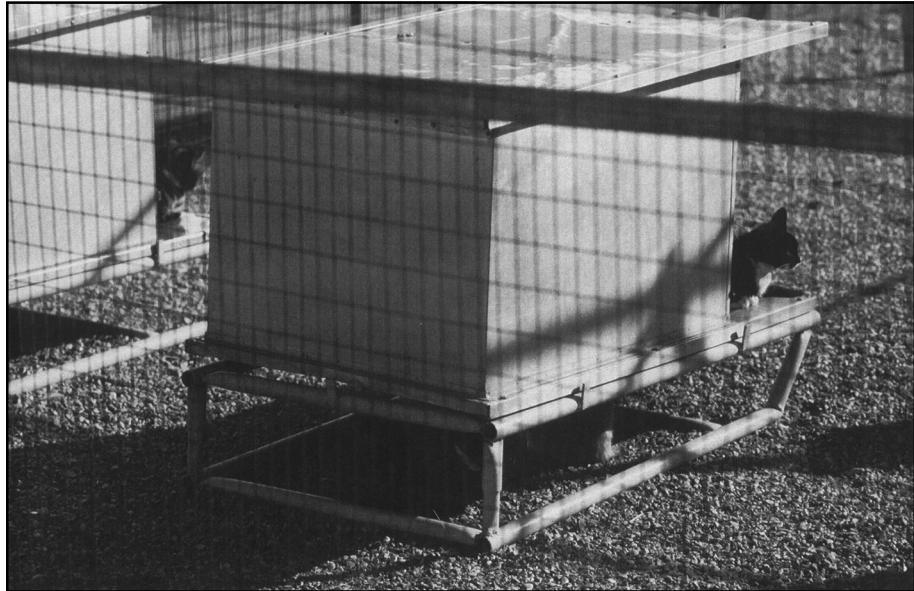
## ***Comments Sought on Proposed Licensing Changes***

On August 4, AC requested comments on several proposed changes to and clarifications of AWA regulations, including licensing requirements, procedures, and exemptions.

AC expects the changes will not only clarify certain licensing regulations but also help AC to better enforce the AWA. One change would allow AC to use an applicant's violation of other Federal, State, or local laws or regulations pertaining to animal cruelty and handling to keep the party from getting a USDA license. Other proposed changes include

- Expanding requirements of licensees who maintain potentially dangerous animals,
- Changing APHIS' method for notification of license expiration,
- Clarifying requirements regarding the number of female breeding dogs and/or cats that may be maintained on a single premises without a license, and
- Clarifying requirements regarding the number of dogs and/or cats that can be sold directly to research from a single premises without a license.

The proposed rule is available in the August 4, 2000, *Federal Register* or on the Internet at [www.aphis.usda.gov/ppd/rad/webrepor.html](http://www.aphis.usda.gov/ppd/rad/webrepor.html) under docket 97-121-1.



## ***Comments Reviewed on Environmental Enrichment Policy***

In FY 2000, AC received and reviewed more than 230 comments on the policy regarding environmental enrichment for nonhuman primates. A final policy taking the comments into consideration was in clearance at the end of FY 2000, and AC expects to issue the final policy in FY 2001.

The policy, which will serve as a resource for inspectors and regulated parties, will complement the National Research Council's fall 1998 publication on this same issue. The goal is to use both documents to best attain enrichment for primates as mandated by the 1985 amendment to the AWA.

## ***Guidelines Adopted for Nonagricultural Use of Farm Animals***

In February 2000, USDA adopted two guides that facilities should follow for standards of care for agricultural animals used in nonagricultural research or exhibition as AC policy 29. The guides are the "Guide for the Care and Use of Agricultural Research and Teaching," published by the Federation of American Societies of Food and Science, and the "Guide for the Care and Use of Laboratory Animals," published by the Institute for Laboratory Animal Research. Previously, the standards in Title 9, CFR, Chapter 1, Subchapter A, Part 3, Subpart F, applied.

Since June 1990, USDA has been regulating horses used for biomedical or other nonagricultural research and other farm animals used for biomedical or other nonagricultural research or for nonagricultural exhibition. More information on the guides can be found in the policy at [www.aphis.usda.gov/ac/policy/policy29](http://www.aphis.usda.gov/ac/policy/policy29).



## ***More Comments Received on Training and Handling of Dangerous Animals***

In FY 2000, AC published a revised draft policy regarding best practices for the training and handling of potentially dangerous wild and exotic animals. Among other things, the notice sought input on suggested experience requirements for animal handlers and trainers, as well as on contingency plans for the recapture of escaped or uncontrollable animals. The revision was based on

comments received in FY 1998. The second comment period was open from February 18 through April 18, 2000, and more than 250 comments were received. AC also held a public meeting on the draft policy and other exhibit animal issues. Comments made at the meeting or submitted otherwise during the comment period are being reviewed and will be incorporated into the policy as appropriate.

## ***Perimeter Fencing Rule Completed***

On October 18, AC published its final rule on perimeter fencing requirements for animals covered under the AWA, with emphasis on wild and exotic animals. It became effective November 17. The rule does not apply to nonhuman primates, which are already covered under subpart D of the AWA regulations. In general, the rule would require a perimeter fence at least 6 feet high for most animals and 8 feet high for dangerous animals, such as elephants, bears, and large cats. All requirements are designed to better contain the animals and to keep out unwanted animals.

AC is pursuing a technical amendment to the rule to correct the inadvertent inclusion of bobcats in a list of large felines. Bobcats are wild felines that can range from 12 to 60 or more pounds. The amendment would require only a 6-foot perimeter fence for bobcats, rather than an 8-foot fence. The amendment was published November 28, 2000.

## ***Work Progresses on Swim-With-the-Dolphins Rule***

On September 4, 1998, APHIS published a final rule that establishes new requirements for "swim-with-the-dolphins" programs. The new rule includes requirements that facilities maintain three separate pool areas: an interactive area, a buffer zone, and a sanctuary where the dolphins can swim free of public contact. In early FY 1999, based on the nature of shallow-water interactive or wading programs, AC suspended the attendant-to-participant ratio requirements and the interactive space requirements for wading programs. In April 1999, because of other considerations, APHIS suspended enforcement

of the rule overall and solicited additional comments to evaluate the appropriateness of the rule given the extensive evolution of swim-with-the-dolphins programs in recent years. AC is developing proposed amendments to the current rule that are more supportable based on existing scientific data and more appropriate to the nature of existing programs, including the wading programs. AC is waiting for economic impact analysis and clearance before publishing the proposed amendments, which is required as part of the regulatory development process.



## **Policies Completed**

At the end of FY 2000, the following policies had been issued:

- Veterinary care (policy 3, revised)
- Consideration of alternatives to painful/distressful procedures (policy 12, revised)
- Farm animals used for nonagricultural purposes (policy 29, new)

## **Other Policy Initiatives**

During FY 2000, AC worked on additional AWA policies:

- Space and exercise requirements for traveling exhibitors (policy 6, being revised)
- Capture methods of prairie dogs (policy 27, being revised)
- Environmental enrichment for nonhuman primates (new)
- Training and handling of potentially dangerous animals (new)

## **Other Initiatives**

AC worked on several other initiatives during FY 2000 and published them in the *Federal Register*. These include

### *Notices:*

Petition for regulation of rats, mice, and birds

*Advance Notices of Proposed Rulemaking:*  
Definitions for and reporting pain and distress  
(comments due 11/07/00)

### *Proposed Rules:*

Inspection, licensing, and procurement of animals (comments due 11/20/00)  
Acclimation certificates for dogs and cats (under review)

### *Final Rules:*

Clarification of the definition of "field study" (published 2/9/00)  
Standards for marine mammals: consensus language (under consideration)  
Confiscation of animals (under consideration)

### *Technical Amendments:*

Perimeter fencing: remove 8-foot requirement for bobcats (under consideration)

# GLOSSARY OF TERMS

**Airport inspection**—Individual airline inspections of terminal, cargo, and baggage areas made at airports for compliance with the AWA regulations and standards.

**Alleged violation**—A violation of the AWA regulations or standards that has been documented as existing but has not been legally concluded.

**Carrier**—The operator of any airline, railroad, motor carrier, shipping line, or other enterprise that is engaged in the business of transporting any animals for hire.

**Commerce**—Trade, traffic, or transportation that is between a place in a State and any place outside of such State (including foreign countries), or between points within the same State but through any place outside of the State.

**Complaints**—(1) A civil or administrative complaint informs the alleged violator of the AWA about allegations charged against him/her. (2) A public complaint is information received from citizens, humane groups, or others concerning possible violations of the AWA, regulations, or standards at animal facilities.

**Compliance**—The status of a facility that meets all of the regulatory requirements set forth in the AWA regulations and standards.

**Dealer**—Any person who, in commerce, for compensation or profit, delivers for transportation, or transports (except as a carrier), buys, or sells, or negotiates the purchase or sale of (1) any dog or other animal whether alive or dead (including unborn animals, organs, limbs, blood, serum, or other parts) for research, teaching, testing, experimentation, exhibition, or for use as a pet; or (2) any dog for hunting, security, or breeding purposes. The term dealer does not include a retail pet store unless such store

sells any animals to a research facility, an exhibitor, or to a dealer (wholesale); or any person who does not sell, or negotiate the purchase or sale, of any wild or exotic animal, dog, or cat and who derives no more than \$500 gross income from the sale of animals, dogs, or cats, during any calendar year.

**Enforcement**—The activities undertaken by USDA and APHIS AC and IES personnel to ensure that the AWA's regulations and standards are met. Enforcement includes developing alleged violation cases and taking action in the form of Letters of Warning, warning tickets, stipulations, administrative complaints, hearings, trials, and other legal procedures and methods to obtain compliance.

**Exhibitor**—Any person (public or private) exhibiting any animals which were purchased in commerce or the intended distribution of which affects commerce, or will affect commerce, to the public for compensation. Exhibitors include carnivals, circuses, animal acts, zoos, and educational exhibits, whether exhibiting for profit or not. The term exhibitor excludes most retail pet stores, horse and dog races, organizations sponsoring, and all persons participating in State and county fairs, livestock shows, rodeos, field trials, coursing events, purebred dog and cat shows, and any other fairs or exhibitions intended to advance agricultural arts and sciences.

**Facility**—A facility is the holder of the license or registration. Each facility may have only one license or registration number but may be physically divided into two or more sites.

## Inspections

- **Attempted inspection**—An inspection that could not be completed, including those where representatives of the inspected entities were not onsite or transportation facilities were found to have no animals present.

- **Compliance inspection**—An unannounced inspection completed, after licensing or registration, to determine the facility's compliance with the AWA regulations and standards. Compliance inspections include reinspections.

- **Prelicensing or Preregistration inspection**—An announced inspection made, after application for licensure or registration has been submitted, to ascertain compliance with the AWA regulations and standards prior to licensing or registering the facility. Prelicensing inspections are required. Preregistration inspections, although not required, are often performed upon request of the facility.

- **Reinspection**—An inspection made specifically to follow up on one or more violations documented during a compliance inspection.

**Intermediate handler**—Any person who is engaged in any business receiving custody of animals in connection with their transportation in commerce. This definition excludes dealers, research facilities, exhibitors, operators of auction sales, and carriers.

**Investigation**—Inquiries and examination of allegation(s) that a person or facility is not complying with the AWA or its regulations or standards.

## License classes

- A Class A licensee is anyone meeting the definition of "dealer" whose business consists only of animals that are bred and raised on the premises in a closed or stable colony and those animals acquired for the sole purpose of maintaining or enhancing the breeding colony.

- A *Class B licensee* is anyone meeting the definition of a “dealer” whose business includes the purchase and/or resale of any animal. Class B licensees include brokers and operators of auction sales, as such individuals negotiate or arrange for the purchase, sale, or transport of animals in commerce.
- A *Class C licensee* is anyone meeting the definition of an “exhibitor” whose business involves the showing or displaying of animals to the public.

**Random source dogs and cats**—Animals acquired from animal pounds and shelters, auction sales, or from any person who did not breed and raise the animals on his or her premises.

**Registrant**—Any research facility, carrier, intermediate handler, or exhibitor whose primary business is not required to be licensed by the AWA. If a registered facility conducts an activity that requires a license, then it will also be licensed for that activity. For example, some research facilities have a dealer license in addition to their registration because they occasionally sell surplus animals to other research facilities.

**Research facility**—Any school (other than elementary or secondary), institution, organization, or person that uses or intends to use live animals in research, tests, or experiments, and that (1) purchases or transports live animals in commerce or (2) receives funds under a grant, award, loan, or contract from a department, agency, or instrumentality of the United States for the purpose of carrying out research, tests, or experiments.

- An *active registered research facility* is a USDA-registered research facility that currently utilizes animals covered by the AWA for teaching, testing, or experimentation.
- An *inactive registered research facility* is a USDA-registered research facility that currently does not utilize animals covered by the AWA for teaching, testing, or experimentation.

**Violation**—An area or item, at a registered or licensed facility, found to be out of compliance with the regulations or standards of the AWA.

**Retail pet store**—Any outlet where only the following animals are sold or offered for sale, at retail, for use as pets: dogs, cats, rabbits, guinea pigs, hamsters, gerbils, rats, mice, gophers, chinchillas, domestic ferrets, domestic farm animals, birds, coldblooded species, and other common small pets. Retail pet stores do not include any establishment or persons who (1) deal in dogs used for hunting, security, or breeding purposes; (2) exhibit, sell, or offer to exhibit or sell, any wild or exotic or other nonpet species of warmblooded animals (except birds) such as skunks, raccoons, nonhuman primates, squirrels, ocelots, foxes, coyotes, etc.; (3) sell warmblooded animals (except birds and laboratory rats and mice) for research or exhibition purposes; (4) wholesale any animals (except birds and laboratory rats and mice); or (5) exhibit pet animals in a room that is separate from or adjacent to the retail pet store, or in an outside area, or anywhere off the retail pet store premises.

**Search**—Activity associated with finding unlicensed or unregistered entities.

**Site**—All regulated components of a licensed or registered facility within the same geographical location, typically within a 35-mile radius.

**Stipulation**—An agreement by a violator to accept assessment of a civil penalty, license suspension, or combination of both. The stipulation procedure is used instead of formal administrative hearings. Alleged violators are offered the opportunity to waive a hearing by agreeing to enter into a stipulation, in which case they will pay a specified civil penalty and/or have their license suspended for a specified period.

# APPENDIX

**TABLE 1. NUMBER OF LICENSEES AND REGISTRANTS,  
BY FACILITIES AND NUMBER OF SITES (FY 2000)**

	Registered intermediate handlers		Registered carriers		Licensed Class A dealers		Licensed Class B dealers		Licensed exhibitors		Registered exhibitors		Active research facilities		Inactive research facilities	
	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites	Facilities	Sites
<b>Total United States</b>	302	422	86	800	3,433	3,391	1,179	1,227	2,489	2,803	19	19	1,231	1,509	34	36
Alabama	1	1	0	12	3	3	14	16	37	38	0	0	13	13	0	0
Alaska	2	4	4	20	2	1	0	0	10	10	0	0	4	4	0	0
Arizona	11	13	1	17	3	3	7	6	32	35	0	0	10	11	0	0
Arkansas	1	2	0	12	185	177	32	34	25	30	0	0	10	10	0	0
California	37	53	7	122	24	18	23	26	250	293	0	0	170	184	9	10
Colorado	5	11	1	12	7	7	8	8	32	33	0	0	23	22	1	1
Connecticut	6	10	0	7	0	0	11	11	40	43	0	0	18	25	0	0
Delaware	0	0	0	0	0	0	4	3	6	5	0	0	8	7	0	0
Dist. of Columbia	0	1	0	8	0	0	0	0	0	0	0	0	5	5	1	1
Florida	24	41	5	31	42	40	78	85	261	341	2	2	20	29	4	5
Georgia	12	15	3	17	24	24	12	12	56	64	2	2	15	28	0	0
Guam	1	1	0	2	0	0	0	0	3	3	0	0	0	0	0	0
Hawaii	17	17	4	28	0	0	0	0	20	20	0	0	2	2	0	0
Idaho	0	1	0	6	5	4	3	3	15	17	0	0	4	4	0	0
Illinois	13	11	1	13	55	55	47	47	140	162	2	2	41	41	1	1
Indiana	2	4	1	11	37	36	36	36	74	82	0	0	20	26	0	0
Iowa	0	3	0	9	311	312	58	57	47	48	0	0	17	21	0	0
Kansas	0	1	1	10	410	413	71	70	29	36	0	0	18	22	1	1
Kentucky	4	7	1	11	8	8	5	5	17	21	1	1	7	12	1	1
Louisiana	1	3	0	2	14	13	14	13	21	21	0	0	13	27	0	0
Maine	3	3	0	3	1	1	2	4	9	10	0	0	11	12	0	0
Maryland	5	9	0	10	5	5	14	13	26	24	0	0	47	55	0	0
Massachusetts	6	8	1	8	7	6	10	11	40	47	0	0	85	133	0	0
Michigan	5	9	4	22	15	16	34	36	98	105	4	4	34	44	0	0
Minnesota	1	3	2	6	81	78	41	41	59	59	2	2	26	37	0	0
Mississippi	0	0	0	2	3	3	3	4	13	13	0	0	6	6	0	0
Missouri	7	7	3	25	1,092	1,088	144	148	57	69	0	0	38	38	0	0
Montana	0	0	1	24	14	15	0	0	16	16	0	0	6	7	0	0
Nebraska	1	0	0	0	145	143	19	18	14	16	0	0	14	13	0	0
Nevada	3	7	2	19	4	3	7	8	50	52	0	0	1	3	0	0
New Hampshire	1	1	1	3	1	1	1	1	16	18	0	0	4	5	0	0
New Jersey	7	13	2	6	6	4	18	23	50	53	0	0	49	66	2	2
New Mexico	3	4	3	10	2	2	5	3	13	13	0	0	8	9	0	0
New York	24	33	4	41	25	23	33	35	121	134	0	0	90	111	1	2
North Carolina	9	14	2	27	9	9	24	26	36	38	0	0	24	31	1	1
North Dakota	1	1	0	11	28	29	3	5	15	14	0	0	3	3	0	0
Ohio	5	7	2	16	31	31	35	38	77	89	4	4	46	67	2	2
Oklahoma	2	3	0	7	423	421	56	58	28	34	0	0	17	19	2	1
Oregon	8	8	1	14	33	30	34	32	48	45	0	0	10	11	0	0
Pennsylvania	14	18	1	34	126	123	51	60	104	115	0	0	73	87	3	3
Puerto Rico	1	1	5	7	0	0	1	1	7	7	0	0	7	10	0	0
Rhode Island	1	2	0	2	0	0	2	2	7	8	0	0	7	7	0	0
South Carolina	1	3	0	11	8	8	6	7	22	26	0	0	11	15	0	0
South Dakota	0	0	0	11	95	92	18	17	22	25	0	0	6	6	0	0
Tennessee	3	7	2	27	16	16	13	15	28	32	0	0	18	17	2	2
Texas	24	27	5	39	87	87	119	127	196	221	0	0	80	92	0	0
Utah	5	5	2	9	1	0	1	1	14	14	0	0	8	8	0	0
Vermont	1	2	0	2	1	1	2	2	3	4	0	0	3	3	0	0
Virgin Islands	3	3	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	8	12	4	8	7	7	13	12	49	54	1	1	14	20	1	1
Washington	8	9	5	35	14	11	9	7	26	32	0	0	29	27	2	2
West Virginia	1	1	0	1	1	1	10	10	11	0	0	0	5	5	0	0
Wisconsin	4	3	4	9	21	22	28	30	100	103	1	1	30	46	0	0
Wyoming	0	0	1	0	1	1	0	0	0	0	0	0	3	3	0	0

**TABLE 2. ANIMALS USED IN RESEARCH (FY 2000)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	1,416,643	69,516	25,560	57,518	505,009	174,146	258,754	23,934	66,651	69,126	166,429
<b>Total research Federal agencies</b>	1,299,624	67,826	25,022	52,031	494,183	161,825	247,652	15,630	55,062	49,851	130,542
117,019	1,690	538	5,487	10,826	12,321	11,102	8,304	11,589	19,275	35,887	
Alabama	7,799	1,862	383	492	401	140	2,363	153	499	766	740
Alaska	528	18	0	0	0	0	0	0	0	0	510
Arizona	3,653	320	98	107	100	247	597	10	401	23	1,750
Arkansas	2,619	630	29	140	449	0	1,013	0	198	0	160
California	131,006	3,108	4,943	7,003	26,620	12,184	43,944	3,733	6,796	10,714	11,961
Colorado	9,942	755	503	8	2,948	1,522	873	540	513	70	2,210
Connecticut	7,948	697	158	579	861	1,370	2,268	6	571	61	1,377
Delaware	37,993	1,434	713	44	6,566	7,305	9,116	72	3,867	682	8,194
Dist. of Columbia	17,789	137	59	480	516	294	1,127	70	1,088	5	14,013
Florida	7,547	273	247	1,273	778	207	1,138	297	964	310	2,060
Georgia	23,884	1,168	356	3,601	849	4,654	10,246	17	1,207	159	1,627
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	188	0	1	13	46	0	21	0	76	9	22
Idaho	664	41	8	0	0	0	88	31	0	9	487
Illinois	33,618	2,907	654	675	7,271	2,450	10,150	420	3,747	1,254	4,090
Indiana	16,391	2,432	727	425	2,819	707	2,955	89	414	41	5,782
Iowa	63,835	2,149	1,504	11	7,964	40,295	4,892	960	1,934	3,443	683
Kansas	27,074	1,480	1,091	140	2,122	3,698	980	38	3,035	12,142	2,348
Kentucky	3,066	163	94	57	251	427	1,133	0	188	192	561
Louisiana	16,925	1,027	301	8,092	420	60	2,397	4	303	303	4,018
Maine	5,875	8	10	0	6	24	284	0	89	214	5,240
Maryland	55,253	1,011	595	5,460	19,012	9,260	10,757	420	1,351	466	6,921
Massachusetts	306,084	1,684	603	3,832	266,606	8,146	10,088	958	4,403	5,739	4,025
Michigan	33,553	4,335	1,008	1,207	10,327	1,452	5,442	456	672	1,325	7,329
Minnesota	16,642	1,962	442	299	4,569	783	3,755	944	2,771	460	657
Mississippi	1,846	414	19	113	6	458	173	7	403	45	208
Missouri	33,845	2,286	1,682	48	6,306	9,116	4,297	687	2,031	2,183	5,209
Montana	4,451	12	40	25	0	0	1,726	101	0	2,537	10
Nebraska	66,973	1,126	481	86	2,134	31,595	4,001	7,279	6,574	13,240	457
Nevada	2,392	101	0	0	737	0	96	216	0	0	1,242
New Hampshire	849	6	55	8	3	112	171	1	437	0	56
New Jersey	91,150	6,014	619	3,383	38,418	9,171	19,775	976	996	924	10,874
New Mexico	1,790	300	0	177	24	203	41	0	166	12	867
New York	54,946	5,153	1,965	2,197	14,836	9,989	7,804	916	2,205	209	9,672
North Carolina	29,391	1,816	760	1,526	7,836	1,399	8,709	244	2,704	1,708	2,689
North Dakota	523	14	31	0	92	0	1	309	57	17	2
Ohio	54,112	4,110	1,041	694	22,605	1,878	14,032	166	4,343	453	4,790
Oklahoma	3,899	930	169	92	677	138	513	35	40	264	1,041
Oregon	4,864	137	73	1,062	706	893	475	196	237	104	981
Pennsylvania	86,186	5,641	1,593	1,880	28,902	3,009	37,810	1,019	2,222	1,086	3,024
Puerto Rico	2,394	0	0	2,015	50	76	96	0	19	0	138
Rhode Island	1,593	27	92	14	81	339	180	126	223	3	508
South Carolina	6,107	150	154	400	201	35	851	0	496	3	3,817
South Dakota	5,297	50	25	4	14	5	225	598	569	3,723	84
Tennessee	8,242	1,078	349	154	1,250	1,066	1,303	119	1,660	271	992
Texas	50,477	2,502	776	3,587	6,259	3,807	16,163	937	3,213	3,355	9,878
Utah	4,513	239	40	24	1,180	340	727	92	313	60	1,498
Vermont	878	38	9	0	438	191	57	0	83	20	42
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	16,345	2,638	265	1,429	393	1,482	5,084	45	1,117	166	3,726
Washington	24,505	627	107	1,083	3,570	1,107	3,178	344	345	149	13,995
West Virginia	883	45	70	0	363	10	146	79	32	0	138
Wisconsin	27,959	4,428	605	3,579	6,415	2,499	5,446	209	1,079	190	3,509
Wyoming	357	33	13	0	12	3	47	15	0	17	217

**TABLE 3. ANIMALS USED IN RESEARCH, NO PAIN OR DISTRESS—  
NO DRUGS NEEDED FOR RELIEF (FY 2000)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	897,226	32,898	13,206	31,574	387,077	90,872	142,674	13,860	26,339	56,067	102,659
<b>Total research Federal agencies</b>	825,370	32,747	12,943	28,631	383,703	84,220	140,688	5,984	19,219	40,367	76,868
	71,856	151	263	2,943	3,374	6,652	1,986	7,876	7,120	15,700	25,791
Alabama	3,325	751	287	8	248	61	597	24	46	666	637
Alaska	48	0	0	0	0	0	0	0	0	0	48
Arizona	1,697	30	0	78	88	144	105	0	0	13	1,239
Arkansas	1,751	602	29	133	145	0	671	0	131	0	40
California	70,678	1,232	2,105	4,719	14,682	4,976	24,077	1,557	2,601	8,319	6,410
Colorado	3,750	396	315	0	971	456	485	23	18	52	1,034
Connecticut	2,511	118	49	125	397	419	923	3	105	45	327
Delaware	22,275	751	697	33	2,885	3,750	6,966	72	3,743	682	2,696
Dist. of Columbia	10,899	33	0	240	248	137	281	0	33	0	9,927
Florida	4,653	151	69	1,205	636	162	486	189	166	199	1,390
Georgia	9,199	630	156	378	7	867	5,973	4	135	79	970
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	86	0	1	13	44	0	10	0	5	0	13
Idaho	411	4	0	0	0	0	36	0	0	6	365
Illinois	23,982	1,177	474	329	6,039	1,862	6,788	330	2,752	1,090	3,141
Indiana	6,960	828	424	226	855	118	1,862	4	12	41	2,590
Iowa	34,639	756	490	0	3,777	23,389	476	782	1,275	3,197	497
Kansas	19,727	1,236	975	0	221	83	110	38	2,832	12,109	2,123
Kentucky	124	0	28	0	1	0	42	0	0	3	50
Louisiana	9,137	140	9	5,460	6	60	475	0	18	232	2,737
Maine	5,746	0	0	0	6	24	284	0	0	207	5,225
Maryland	21,040	130	175	2,719	5,799	5,287	4,713	107	45	270	1,795
Massachusetts	276,684	352	317	1,820	11,363	4,049	3,038	208	891	2,952	2,694
Michigan	17,623	2,297	630	798	5,265	397	2,203	113	35	1,111	4,774
Minnesota	7,313	240	63	62	4,002	268	1,446	188	412	279	353
Mississippi	582	174	0	44	6	4	11	0	170	35	138
Missouri	16,684	1,494	1,483	11	4,627	1,839	2,690	371	1,435	2,014	720
Montana	4,143	12	20	25	0	0	1,493	101	0	2,492	0
Nebraska	51,912	564	335	65	1,899	21,335	2,550	7,119	5,764	12,025	256
Nevada	2,127	101	0	0	701	0	83	0	0	0	1,242
New Hampshire	78	0	0	0	0	2	70	0	0	0	6
New Jersey	52,373	3,721	527	1,580	21,412	5,935	11,936	248	113	837	6,064
New Mexico	1,073	109	0	68	0	144	20	0	1	0	731
New York	23,036	3,104	404	1,547	5,212	5,653	2,655	357	270	101	3,733
North Carolina	14,858	841	258	204	5,774	516	5,569	37	650	145	864
North Dakota	242	14	31	0	24	0	1	141	29	0	2
Ohio	36,453	2,301	460	215	19,362	605	9,994	16	555	33	2,912
Oklahoma	1,998	330	79	2	369	0	174	31	24	244	745
Oregon	1,784	23	12	128	4	562	9	1	0	66	979
Pennsylvania	51,489	2,830	1,190	1,277	12,635	1,221	29,391	558	494	322	1,571
Puerto Rico	1,163	0	0	860	50	19	96	0	0	0	138
Rhode Island	886	2	30	0	0	265	48	43	0	0	498
South Carolina	3,654	43	26	80	1	0	272	0	75	0	3,157
South Dakota	4,678	0	0	0	14	5	191	598	277	3,530	63
Tennessee	2,007	18	148	20	15	764	284	0	21	271	466
Texas	28,899	1,297	474	2,458	3,992	1,708	6,975	258	931	2,202	8,604
Utah	1,654	16	0	4	0	101	134	8	69	0	1,322
Vermont	545	6	3	0	428	60	0	0	0	6	42
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	7,532	1,350	114	828	158	614	1,090	6	20	104	3,248
Washington	16,583	246	63	1,029	84	975	2,333	260	73	68	11,452
West Virginia	66	0	0	0	8	10	8	0	0	0	40
Wisconsin	16,320	2,448	256	2,783	3,615	2,023	2,546	50	113	11	2,475
Wyoming	149	0	0	0	2	3	4	15	0	9	116

**TABLE 4. ANIMALS USED IN RESEARCH, WITH PAIN OR DISTRESS—  
DRUGS USED FOR RELIEF (FY 2000)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	415,215	34,925	11,984	25,029	84,137	37,372	111,201	10,025	38,893	11,200	50,449
<b>Total research Federal agencies</b>	378,055	33,451	11,709	22,723	80,368	33,300	102,554	9,597	34,779	7,671	41,903
	37,160	1,474	275	2,306	3,769	4,072	8,647	428	4,114	3,529	8,546
Alabama	4,441	1,078	96	484	153	79	1,766	129	453	100	103
Alaska	480	18	0	0	0	0	0	0	0	0	462
Arizona	1,889	290	98	29	12	36	492	10	401	10	511
Arkansas	793	2	0	0	301	0	303	0	67	0	120
California	55,419	1,604	2,838	2,251	9,985	7,208	19,566	2,176	4,160	1,671	3,960
Colorado	3,559	359	188	0	679	900	332	501	495	18	87
Connecticut	4,845	477	109	222	322	945	1,235	3	466	16	1,050
Delaware	10,191	677	11	11	3,529	100	2,021	0	124	0	3,718
Dist. of Columbia	6,585	104	59	187	155	117	840	70	1,027	5	4,021
Florida	2,883	122	178	68	133	45	651	107	798	111	670
Georgia	14,310	522	200	3,159	780	3,599	4,260	13	1,072	80	625
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	102	0	0	0	2	0	11	0	71	9	9
Idaho	201	37	8	0	0	0	0	31	0	3	122
Illinois	8,601	1,693	180	346	603	557	3,206	90	960	87	879
Indiana	6,407	1,529	281	197	1,934	589	919	85	402	0	471
Iowa	11,331	1,167	956	11	3,851	149	4,416	178	218	200	185
Kansas	2,943	222	116	140	1,055	335	710	0	107	33	225
Kentucky	2,906	163	66	57	250	427	1,055	0	188	189	511
Louisiana	7,778	877	292	2,632	414	0	1,922	4	285	71	1,281
Maine	129	8	10	0	0	0	0	0	89	7	15
Maryland	27,346	837	420	2,629	7,620	3,614	5,580	313	1,306	185	4,842
Massachusetts	27,031	1,331	286	1,974	5,935	3,198	7,050	750	3,244	1,957	1,306
Michigan	11,051	1,967	378	351	2,145	1,055	2,973	343	637	116	1,086
Minnesota	8,890	1,722	379	237	567	515	1,870	756	2,359	181	304
Mississippi	1,264	240	19	69	0	454	162	7	233	10	70
Missouri	9,810	792	199	37	399	1,299	1,562	316	557	160	4,489
Montana	308	0	20	0	0	0	233	0	0	45	10
Nebraska	5,021	510	134	21	107	462	1,451	160	810	1,215	151
Nevada	265	0	0	0	36	0	13	216	0	0	0
New Hampshire	726	6	55	8	3	110	56	1	437	0	50
New Jersey	33,566	2,059	88	1,715	15,457	911	6,958	698	882	85	4,713
New Mexico	717	191	0	109	24	59	21	0	165	12	136
New York	25,604	1,834	1,328	616	6,577	2,496	5,080	559	1,768	108	5,238
North Carolina	12,673	945	502	1,318	469	883	3,005	207	1,979	1,540	1,825
North Dakota	281	0	0	0	68	0	0	168	28	17	0
Ohio	15,871	1,774	581	479	1,759	1,273	3,863	150	3,788	420	1,784
Oklahoma	1,901	600	90	90	308	138	339	4	16	20	296
Oregon	3,080	114	61	934	702	331	466	195	237	38	2
Pennsylvania	28,099	2,680	377	476	10,762	1,497	7,903	459	1,728	764	1,453
Puerto Rico	1,231	0	0	1,155	0	57	0	0	19	0	0
Rhode Island	674	25	62	14	81	74	99	83	223	3	10
South Carolina	2,453	107	128	320	200	35	579	0	421	3	660
South Dakota	344	50	25	4	0	0	31	0	58	155	21
Tennessee	6,196	1,031	191	134	1,235	302	1,019	119	1,639	0	526
Texas	19,922	1,179	302	1,104	2,183	1,717	8,811	679	2,282	1,152	513
Utah	2,859	223	40	20	1,180	239	593	84	244	60	176
Vermont	293	32	6	0	10	91	57	0	83	14	0
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	8,783	1,288	151	571	235	868	3,994	39	1,097	62	478
Washington	2,929	381	44	54	136	132	845	84	272	81	900
West Virginia	817	45	70	0	355	0	138	79	32	0	98
Wisconsin	9,209	1,980	349	796	1,416	476	2,702	159	966	179	186
Wyoming	208	33	13	0	10	0	43	0	0	8	101

**TABLE 5. ANIMALS USED IN RESEARCH, WITH PAIN OR DISTRESS—  
NO DRUGS USED FOR RELIEF (FY 2000)**

	Number of all animals	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Sheep	Pigs	Other farm animals	Other animals
<b>Total United States</b>	104,202	1,693	370	915	33,795	45,902	4,879	49	1,419	1,859	13,321
<b>Total research Federal agencies</b>	96,199	1,628	370	677	30,112	44,305	4,410	49	1,064	1,813	11,771
	8,003	65	0	238	3,683	1,597	469	0	355	46	1,550
Alabama	33	33	0	0	0	0	0	0	0	0	0
Alaska	0	0	0	0	0	0	0	0	0	0	0
Arizona	67	0	0	0	0	67	0	0	0	0	0
Arkansas	75	26	0	7	3	0	39	0	0	0	0
California	4,909	272	0	33	1,953	0	301	0	35	724	1,591
Colorado	2,633	0	0	8	1,298	166	56	16	0	0	1,089
Connecticut	592	102	0	232	142	6	110	0	0	0	0
Delaware	5,527	6	5	0	152	3,455	129	0	0	0	1,780
Dist. of Columbia	305	0	0	53	113	40	6	0	28	0	65
Florida	11	0	0	0	9	0	1	1	0	0	0
Georgia	375	16	0	64	62	188	13	0	0	0	32
Guam	0	0	0	0	0	0	0	0	0	0	0
Hawaii	0	0	0	0	0	0	0	0	0	0	0
Idaho	52	0	0	0	0	0	52	0	0	0	0
Illinois	1,035	37	0	0	629	31	156	0	35	77	70
Indiana	3,024	75	22	2	30	0	174	0	0	0	2,721
Iowa	17,865	226	58	0	336	16,757	0	0	441	46	1
Kansas	4,404	22	0	0	846	3,280	160	0	96	0	0
Kentucky	36	0	0	0	0	0	6	0	0	0	0
Louisiana	10	10	0	0	0	0	0	0	0	0	0
Maine	0	0	0	0	0	0	0	0	0	0	0
Maryland	6,867	44	0	112	5,593	359	464	0	0	11	284
Massachusetts	2,369	1	0	38	308	899	0	0	268	830	25
Michigan	4,879	71	0	58	2,917	0	266	0	0	98	1,469
Minnesota	439	0	0	0	0	0	439	0	0	0	0
Mississippi	0	0	0	0	0	0	0	0	0	0	0
Missouri	7,351	0	0	0	1,280	5,978	45	0	39	9	0
Montana	0	0	0	0	0	0	0	0	0	0	0
Nebraska	10,040	52	12	0	128	9,798	0	0	0	0	50
Nevada	0	0	0	0	0	0	0	0	0	0	0
New Hampshire	45	0	0	0	0	0	45	0	0	0	0
New Jersey	5,221	234	4	88	1,549	2,325	881	30	1	2	97
New Mexico	0	0	0	0	0	0	0	0	0	0	0
New York	6,306	215	233	34	3,047	1,840	69	0	167	0	701
North Carolina	1,860	30	0	4	1,593	0	135	0	75	23	0
North Dakota	0	0	0	0	0	0	0	0	0	0	0
Ohio	1,788	35	0	0	1,484	0	175	0	0	0	94
Oklahoma	0	0	0	0	0	0	0	0	0	0	0
Oregon	0	0	0	0	0	0	0	0	0	0	0
Pennsylvania	6,598	131	26	127	5,505	291	516	2	0	0	0
Puerto Rico	0	0	0	0	0	0	0	0	0	0	0
Rhode Island	33	0	0	0	0	0	33	0	0	0	0
South Carolina	0	0	0	0	0	0	0	0	0	0	0
South Dakota	275	0	0	0	0	0	3	0	234	38	0
Tennessee	39	29	10	0	0	0	0	0	0	0	0
Texas	1,656	26	0	25	84	382	377	0	0	1	761
Utah	0	0	0	0	0	0	0	0	0	0	0
Vermont	40	0	0	0	0	40	0	0	0	0	0
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0
Virginia	30	0	0	30	0	0	0	0	0	0	0
Washington	4,993	0	0	0	3,350	0	0	0	0	0	1,643
West Virginia	0	0	0	0	0	0	0	0	0	0	0
Wisconsin	2,430	0	0	0	1,384	0	198	0	0	0	848
Wyoming	0	0	0	0	0	0	0	0	0	0	0

**TABLE 6. NUMBER OF ANIMALS USED BY RESEARCH FROM THE FIRST REPORTING YEAR (1973) TO THE PRESENT**

FY	Dogs	Cats	Primates	Guinea pigs	Hamsters	Rabbits	Farm animals	Other covered animals	Totals
1973	195,157	66,195	42,298	408,970	454,986	447,570		38,169	1,653,345
1974	199,204	74,259	51,253	430,439	430,766	425,585		81,021	1,692,527
1975	154,489	51,439	36,202	436,446	456,031	448,530		42,523	1,625,660
1976	210,330	70,468	50,115	486,310	503,590	527,551		73,736	1,922,100
1977	176,430	62,311	53,116	348,741	393,533	439,003		46,535	1,519,669
1978	197,010	65,929	57,009	419,341	414,394	475,162		58,356	1,687,201
1979	211,104	69,103	59,359	457,134	419,504	539,594		76,247	1,832,045
1980	188,783	68,482	56,024	422,390	405,826	471,297		49,102	1,661,904
1981	188,649	58,090	57,515	432,632	397,522	473,922		50,111	1,658,441
1982	161,396	49,923	46,388	459,246	337,790	453,506		69,043	1,577,292
1983	174,542	53,344	54,926	485,048	337,023	466,810		108,549	1,680,242
1984	201,936	56,910	55,338	561,184	437,123	529,101		232,541	2,074,133
1985	194,905	59,211	57,271	598,903	414,460	544,621		284,416	2,153,787
1986	176,141	54,125	48,540	462,699	370,655	521,773		144,470	1,778,403
1987	180,169	50,145	61,392	538,998	416,002	554,385		168,032	1,969,123
1988	140,471	42,271	51,641	431,457	331,945	459,254		178,249	1,635,288
1989	156,443	50,812	51,688	481,712	389,042	471,037		153,722	1,754,456
1990	109,992	33,700	47,177	352,627	311,068	399,264	66,702	257,569	1,578,099
1991	107,908	34,613	42,620	378,582	304,207	396,046	214,759	363,685	1,842,420
1992	124,161	38,592	55,105	375,063	369,585	431,432	210,936	529,308	2,134,182
1993	106,191	33,991	49,561	392,138	318,268	426,501	165,416	212,309	1,704,505
1994	101,090	32,610	55,113	360,184	298,934	393,751	180,667	202,300	1,624,649
1995	89,420	29,569	50,206	333,379	248,402	354,076	163,985	126,426	1,395,463
1996	82,420	26,035	52,327	299,011	246,415	338,574	154,344	146,579	1,345,739
1997	75,429	26,091	56,381	272,797	217,079	309,322	159,742	150,987	1,267,828
1998	76,071	24,712	57,377	261,305	206,243	287,523	157,620	142,963	1,213,814
1999	70,541	23,238	54,927	266,129	201,593	280,222	155,409	165,939	1,217,998
2000	69,516	25,560	57,518	505,009	174,146	258,754	159,711	166,429	1,416,643



