



AMERICAN KENNEL CLUB

GOVERNMENT RELATIONS DEPARTMENT

Today, the United States Department of Agriculture's Animal and Plant Health Inspection Service (APHIS), which is responsible for enforcement of the federal Animal Welfare Act (AWA), announced that it is rescinding [December 2017 \(updated in May 2018\) guidance](#) that described an incentive program that recognized licensees and registrants who took appropriate and timely action to address noncompliant items. Click [here](#) to read APHIS' announcement.

Previously, APHIS would not cite certain AWA noncompliance items that were identified by licensees and registrants outside of inspections and for which a licensee/registrant took appropriate action to correct the issue. Today's announcement notes a shift in APHIS' enforcement processes.

APHIS primarily uses inspections to ensure that licensees and registrants comply with AWA requirements.

About USDA Inspections and Compliance Inspectors conduct unannounced visits to licensed or registered facilities where they review all areas of care and treatment covered under the law.

In some circumstances where an individual and/or business is found to be out of compliance with AWA requirements, APHIS may take action to promote compliance, including issuing a Letter of Information or an Official Warning Letter. A Letter of Information is an informal warning letter documenting that AWA noncompliance was found and advising an individual and/or business that more stringent action may be taken if they remain noncompliant. An Official Warning Letter provides notice to an individual and/or business that the Agency may seek a civil or criminal penalty if noncompliance is found in the future.

APHIS' Investigative and Enforcement Services (IES) personnel investigate alleged violations when:

1. Licensees or registrants have not taken corrective measures to come into compliance with the AWA,
2. Individuals and/or businesses are conducting regulated activity without a license or without being registered with USDA, or

3. The noncompliance presents (or presented) a direct risk to the health and well-being of the animals involved.

IES investigations may lead to the issuance of a regulatory compliance agreement or enforcement action.

Despite today's announced change regarding self-reporting, APHIS continues its commitment to encourage licensees to proactively identify and correct preventable animal welfare issues that may occur at their facilities. In addition to guidance available from APHIS inspectors, additional tools are available to help licensees proactively address compliance challenges, including compliance support services and educational materials.

For more information, contact [USDA APHIS](#) or [AKC's Government Relations Department](#).

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