Introductory Course for Commercial Dog Breeders

Part 2: The Licensing Process
Introduction

- Licensing takes time and preparation
- Plan ahead: Process can take several months
  - Can’t legally sell dogs or puppies without USDA license
Learning Objectives

1. License Application Process
2. Time limits for prelicense inspections
3. Prelicense inspection process and licensing requirements
4. Applicant’s responsibilities during inspection
5. Prelicense inspection results
6. When sales are permitted
7. Reasons an application could be denied
Applying for a License
Request Materials

• Request information packet
  – Animal Care Regional Office
• Review requirements
• Evaluate facility for compliance with AWA standards before applying
Application

- Complete and return application form
  - APHIS Form 7003-A
  - $10 application fee
  - Taxpayer id form
- Reviewed by Regional Office and sent to Inspector
Prelicense Inspection

• Inspector will contact you to schedule the inspection
  – **Note:** Prelicense inspections are the only scheduled inspections.
• Contact Inspector with questions
• Prepare facilities and records for inspection
Time Limit
Time Limit

90 days from Inspector’s first visit

OR

3 Inspections
Example

Joe Smith applied for a Class A license for his dog kennel. He and Inspector Mary Jones have scheduled an inspection for June 1.

During the inspection Inspector Jones finds a few items not in compliance with the Animal Welfare Regulations, which she documents on an Inspection Report.
Example (cont’d)

During the inspection and Exit Briefing Inspector Jones discusses the non-compliant items with Mr. Smith. She provides him with an Inspection Report that lists the items to correct.

How long does Mr. Smith have to comply with the regulations and become licensed?
Example (cont’d)

90 days: June 1 to August 29

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Example (cont’d)

Mr. Smith reviews the items not in compliance and makes changes to his facility.

He contacts Inspector Jones and they schedule a follow-up inspection on July 31.
Re-inspection

On July 31, Inspector Jones finds that Mr. Smith has satisfactorily addressed all the items of noncompliance except one. She discusses the item with Mr. Smith and provides him with an Inspection Report.
Outcomes 1

Mr. Smith reviews the inspection report and makes the required changes. He contacts Inspector Jones and schedules a third inspection for August 20.
Outcomes 1 (cont’d)

On August 20, Inspector Jones inspects the facility and finds it in compliance with the AWA and approves the license application.

Mr. Smith receives his license in the mail about two weeks later. Once he receives the paper license certificate he may begin selling puppies.
Outcome 2

Mr. Smith reviews the inspection report and attempts to make the required changes. He contacts Inspector Jones and schedules a third inspection for August 20.
Outcome 2 (cont’d)

On August 20, Inspector Jones finds that Mr. Smith has not adequately addressed the item of noncompliance.

Mr. Jones’ license application is denied.
Explanation

• Three prelicense inspections:
  – June 1, July 31, August 20
• Not in compliance after 3 inspections
• Application denied
• Can reapply after 6 months
Outcome 3

Mr. Smith reviews the inspection report and makes changes to his facility. He contacts Inspector Jones on September 2 to schedule an inspection.
Outcome 3 (cont’d)

• Inspector Jones informs Mr. Smith that his application is denied because more than 90 days have passed since the first inspection:
  – June 1 to Sept 2 = 94 days
• Will receive letter from Regional Office.
• May reapply after 6 months.
Prelicense Inspection
Prepare for Inspection

• Must demonstrate compliance with AWA to be licensed

• Animal Welfare Act Regulations
  – License requirements
  – Housing
  – Welfare
  – Care
Records

- Program of Veterinary Care
- Health Records
- Exercise Plan
Records

• APHIS Form 7005: Source of dogs at facility
• APHIS Form 7006: Disposition of animals leaving facility
  – sold, traded, donated, died, euthanized
• Must identify all animals
Identification

• Required by regulations
• Required on APHIS Forms 7005 and 7006
• Official license number issued once licensed
• Identify as fully as possible for prelicense inspection and complete when license received
Other Requirements

Other requirements under the regulations:

– Housing
– Sanitation
– Proper Husbandry
The Inspection

Among other things, the Inspector will:
- Review the application
- Inspect all animals and facilities
- Take photos, videos, and notes of the facility
- Discuss husbandry, veterinary care, exercise plans, and animal identification requirements
- Identify any noncompliant items
- Answer questions
Applicant Responsibilities

• Applicant or designee available during inspection
  – 18 years old or older
  – Knowledgeable about operation
• Provide access to animals, facility and records
• Answer questions
• Be courteous
How long will it take?

• Depends on a variety of factors:
  – Facility size
  – Number of animals
  – Facility type
  – Number of records

• Be prepared and organized
Inspection Results
Exit Briefing

- Review inspection report
- Discuss any noncompliant items
- Answer questions
- Obtain signature
Passing the Inspection

• No noncompliant items
• Eligible for a license
• Exit briefing
  – Discuss inspection and enforcement process
  – License fee
  – Obtain additional contact information
  – Public access to inspection reports
Failed Inspection

• Noncompliant items
• License Application not approved
  – Discuss all noncompliant items
  – Explain the 3 inspection/90 day rule
  – Discuss completion date/scheduling
  – No regulated activities may be conducted
  – Provide a written report
Denial of Application

Initial application may be denied due to:
- Noncompliance with Animal Welfare Act
- Interference with inspection
- Fail to pay fee
- Incomplete application
- Had a license revoked or suspended
- Violation of animal cruelty laws or regulations within 1 year of application
- Operates in violation of State, federal or local law
- False or fraudulent statements or false or fraudulent records
Conclusion

You should now be able to:

1. Describe how to apply for a license
2. Describe prelicense inspection process
3. Explain time limits that apply to prelicense inspections
4. Describe an applicant’s responsibilities
5. Explain how inspection results are received
6. Describe when a new licensee may begin to sell animals
7. Explain why an application might be denied
Questions?
Acknowledgments

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