



June 2017

Inspection Report Appeals Process

Animal Care, a part of the U.S. Department of Agriculture (USDA), conducts inspections to assess whether dealers, exhibitors, research facilities, intermediate handlers, and carriers are in compliance with the Animal Welfare Act (AWA) and the regulations and standards established thereunder. This document provides information to help these facility operators understand the process for appealing all or part of an inspection report, including to whom the appeal should be directed and when the appeal should be submitted.

What is an Appeal?

An appeal is a request made by an AWA licensee or registrant to Animal Care to reconsider all or part of the content of an inspection report. The appeals process provides an objective and thorough method for Animal Care to review any disagreements involving the content of an inspection report, without fear of retaliation on the part of the licensee or registrant. A licensee or registrant may appeal content in the inspection report that he/she believes is incorrect, does not consider relevant facts, or is inconsistent with the applicable AWA regulations or standards.

The appeals process is beneficial to licensees/registrants and Animal Care because it can lead to improved understanding of the AWA and regulations and standards, and the opportunity to discover additional resources to promote compliance.

What is the Process for Appealing an Inspection Report?

During an inspection, if a USDA inspector observes conditions that are not in compliance with the AWA and regulations and standards, the inspector will document his or her observations and professional assessments on an inspection report and explain them to the licensee or registrant. Animal Care encourages licensees and registrants to visit with their inspectors about questions involving the inspection or the content of the inspection report during the course of the inspection and/or during the exit briefing. If a question involves potential changes to the content of the inspection report, the inspector may modify the inspection report or leave it as originally written, as appropriate.

If the licensee/registrant and the inspector are unable to resolve concerns about the content of an inspection report, or if the licensee/registrant decides to appeal all or part of the content of the inspection report, the licensee/registrant should send a detailed, written appeal to the appropriate Animal Care office listed below. The written submission should clearly state the content of the inspection report that the licensee/registrant is appealing and include any documentation or other information in support of the appeal. Animal Care must receive this appeal within 21 days of the

Tech Note: Inspection Report Appeals Process

licensee/registrant receiving the inspection report from the inspector. Animal Care will not consider any appeals it receives after the 21-day period.

An appeals team will review each appeal that is received in a timely manner. Each team consists of a Director and/or Assistant Director of Animal Welfare Operations, a Supervisory Animal Care Specialist, and an additional member who may be a staff veterinarian or other subject matter expert, based on the specific details of the appeal. If an assigned appeals team member has a conflict of interest, that member will remove themselves from the team and a new member will be assigned.

Within 30 days of receiving an appeal, the appeals team will either provide a response to the appeal or request more information from the licensee/registrant. After concluding its review, the appeals team will notify the licensee/registrant of any revisions made to the content of the inspection report or the reasons why the content of the inspection report was not revised based on the appeal.

How Can I Obtain Additional Information About the Inspection Report Appeals Process?

If you would like more information about the inspection report appeals process, or if you are a licensee or registrant seeking to file an appeal, please contact the appropriate USDA Animal Care office based on your geographic location:

Raleigh Office

USDA Animal Care
920 Main Campus Drive, Suite 200
Raleigh, NC 27606-5210
Phone: (919) 855-7100
Fax: (919) 855-7125
Email: aceast@aphis.usda.gov

Fort Collins Office

USDA Animal Care
2150 Centre Avenue, Building B
Mailstop #3W11
Fort Collins, CO 80526-8117
Phone: (970) 494-7478
Fax: (970) 494-7461
Email: acwest@aphis.usda.gov

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