Animal Exhibitors

The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) enforces the Animal Welfare Act (AWA). The AWA is Federal legislation that ensures minimum standards for the humane care and treatment of almost all warmblooded animals that are exhibited to the public.

APHIS' Animal Care program ensures that exhibitors comply with the AWA's standards and regulations through licensing requirements, education, and unannounced inspections.

Regulated Animal Exhibitors

Persons who have warmblooded animals on display, animals that perform for the public, or animals used in educational presentations, must be licensed as exhibitors with APHIS. Licensed exhibitors include, but are not limited to, circuses, zoos, petting farms and zoos, animal acts, wildlife parks, marine mammal parks, and some sanctuaries.

Exempted Animal Exhibitors

The AWA exempts certain animal exhibits/exhibitors from Federal regulation. Those who exhibit only farm animals in agricultural events do not require a license. Pet shows, dog races, horse races and shows, and rodeos also are exempt from AWA regulation. State and local laws and ordinances typically regulate these entities. Animal preserves, or sanctuaries that maintain exotic or wild animals, are exempt from regulation provided the facility does not exhibit or use the animals for promotional purposes. A facility that is private that conducts donor tours or fundraising, however, must have a license. Exhibitors showing only coldblooded animals, such as fish and reptiles, are exempt from regulation under the AWA. APHIS is currently ascertaining the need for, and methods of, regulating bird exhibitors.

The AWA Requirements

APHIS requires licensed exhibitors provide their animals with adequate care and treatment in the areas of housing, handling, transportation, sanitation, nutrition, water, general husbandry, veterinary care, and protection from extreme weather and temperatures.

Recordkeeping

Licensed exhibitors must maintain on their premises accurate records of the animals that come into their possession and of the veterinary care the animals receive. This information must be made available to APHIS during inspection.



Safety Measures

Exhibitors must minimize possible harmful risks to animals and the public during public exhibition by providing sufficient distance or barriers between the animals and the public.

When there is a possibility of animals coming in direct contact with the public, a knowledgeable and responsible attendant must be present and there must be sufficient distance maintained, as well as physical and/or behavioral barriers (such as reliable training of the animals). During public exhibition, potentially dangerous animals, such as lions, tigers, bears, and elephants, must be under the direct control of an experienced trainer. Some animals, such as juvenile and adult big cats, cannot be safely handled or restrained in public–contact venues.

Proper Handling

According to the AWA, animals must be exhibited only for set periods of time and under conditions consistent with their health and well–being. Exhibitors must handle animals carefully and humanely to prevent unnecessary stress or discomfort.

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Among other requirements, performing animals must be given a rest period between shows that is at least as long as one performance period. The AWA also forbids exhibitors from denying animals their daily nutritional and dietary requirements as a way of training or working them. Exhibitors must not physically abuse animals while training or working them or use tranquilizing drugs to facilitate public handling of the animals. Animals must also be protected from rough handling during public contact sessions. Young and immature animals should be limited to shorter contact and exhibition periods.

AWA Enforcement

APHIS ensures that regulated exhibitors are licensed and that unlicensed exhibitors are found.

Before APHIS will issue a license, the applicant must be in compliance with all AWA standards and regulations. To ensure that all licensed facilities continue to comply with the AWA, APHIS officials make unannounced inspections. Licensees must be available for inspection during reasonable, normal business hours. This means that traveling exhibitors should submit their performance schedules to APHIS in advance so that APHIS officials may regularly inspect their premises at any location.

APHIS officials also conduct inspections of exhibitors in response to public concern about possible animal welfare violations.

If an inspection reveals deficiencies in meeting the AWA standards and regulations, the inspector determines the timeframe for correcting any deficiencies. This timeframe is determined by the severity of the infraction and the direct risks to the animals' health and well–being. If problems remain uncorrected at the unannounced followup inspection, APHIS officials document the deficiencies and consider possible legal action. Where applicable, APHIS has the authority to confiscate animals in immediate danger (after the licensee has legal notice).

APHIS may formally investigate a licensee as warranted. Based on a review of the investigation, APHIS may resolve the issue with a notice of warning or a stipulation agreement, which sets civil penalties for AWA infractions. Civil penalties may include cease–and–desist orders, fines, and license suspension or revocation. If APHIS officials determine that an alleged AWA violation warrants additional action, APHIS submits all evidence to USDA for legal review.

Many State and local governments have additional animal welfare legislation. A significant amount of this legislation provides broader and stricter regulations for the humane care and treatment of animals. Licensees must follow all State and local laws in addition to AWA standards. The AWA does not supercede State and local authorities or restrict them in any way when the State and local laws are more stringent than the AWA. APHIS encourages the public to work with Federal, State, and local officials as well as local humane organizations to help eliminate inhumane treatment of animals.

Additional Information

For more information about licensing of animal exhibitors under the AWA, contact APHIS' Animal Care regional offices at:

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