
**REGULATED
ACTIVITIES**

The Animal Welfare Act (AWA) regulates the exhibition of regulated animals to the public. [1.1, 2.1]

A USDA license or registration is required by any person engaging in a regulated activity using regulated animals, except when exempted by regulation.

Regulated activities include the use of regulated animals for the following:

- display to the public
- performances
- photos of people with animals
- movies, plays, TV shows or other theatrical productions
- promotion or advertisement of goods or services
- rides
- prizes
- direct contact
- professional photography
- leasing out (see page 3.1.2)

Examples of regulated businesses include, but are not limited to:

- amusement parks
- animal acts
- bear wrestling
- carnivals
- circuses
- drive through zoos
- educational exhibits
- kangaroo boxing
- magic/illusion shows
- marine mammal shows
- mascots
- non-traditional racing events, such as pig, dachshund, Jack Russell terrier or camel races at rodeos, fairs, shopping malls, etc.

NOTE: Professional dog races, such as greyhound races,
are

- exempt.
- petting zoos
- photo shoots
- promotional exhibits
- rehabilitation facilities that allow public viewing of the animals
- roadside zoos
- seasonal exhibits, such as:
 - Easter displays or photos with rabbits or lambs
 - sleigh rides using reindeer
 - Christmas displaysNOTE: Church nativity scenes using farm animals from local owners are exempt.
- seasonal exhibits with non-agricultural petting zoos, such as:
 - roadside fruit stands
 - nurseries
 - pumpkin patches
 - Christmas tree farms
- special skills or tricks displays, such as:
 - frisbee-catching dogs
 - basketball playing dogsNOTE: Competitions are exempt.
- swim-with-the-dolphins programs
- tourist attractions
- zoological parks

NOTE: Animal-fighting ventures, such as dogfights, and bear or raccoon baiting, are **prohibited** by the Animal Welfare Act. If you become aware of any of these illegal activities:

- do **not** attempt to stop or investigate these activities yourself
- send as much information as possible to the Regional Office to be forwarded to IES

**Leasing out
of animals**

A person leasing out regulated animals may require an exhibitor's license if:

- the animals are being exhibited to the public, **and**
- he/she receives compensation (see page 3.1.3), **and**
- he/she retains ownership or control of the animals, **and**
- the leased out animals were purchased in commerce, **or**

- the leased out animals' intended distribution affects or will affect commerce, such as, transport of the animals or animal-related food, supplies or construction materials on public roads

Leasing out of regulated animals includes, but is not limited to:

- breeding loans
- short-term use
- loans for acts or displays
- offering animals for services, such as:
 - breeding
 - riding
 - photographs
- lending libraries, i.e., facilities that loan out animals for short periods of time to provide the experience of pet ownership
- distribution of promotional material using pictures of the animals

Compensation is considered any of the following:

- money, such as:
 - leasing fees
 - entrance fees
 - photo fees
 - sales of feed
- receipt of off-spring from a breeding loan
- tax write-off
- attracting customers
- trading goods or services
- reimbursement of expenses
- donations
- good will or publicity which may lead to donations or other support

NOTE: The intent of the display should be considered when determining the need for a license.