

CONFISCATION PROCEDURES

Any animal not currently being used for research and found by an APHIS official to be suffering as a result of failure to comply with the AWA regulations and standards may be confiscated and euthanized. [2.38(e) and Policy #8]

Criteria

If the research facility takes no action to alleviate the suffering, APHIS may confiscate the animal(s) following the procedures outlined in Policy #8. An animal does not have to be in jeopardy of dying to be in a state of suffering.

You should consider starting confiscation procedures if conditions are such that:

- an animal's health and well being is severely compromised
- an animal is in need of immediate care
- an animal may shortly be in need of immediate care

Conditions which can compromise an animal's health/well-being or require immediate care include, but are not limited to:

- lack of appropriate veterinary care for the medical conditions that you observe
- no food and water
- inadequate shelter or bedding for extreme weather conditions
- enclosures with:
 - ▶ excessive accumulations of feces or old food
 - ▶ dead, decaying animals
 - ▶ extremely soiled or wet bedding

Clinical signs indicative of an animal that is suffering and in need of immediate care include, but are not limited to:

- self-damaging stereotypic behavior, such as:
 - ▶ self-biting
 - ▶ hair pulling
 - ▶ head banging
- poor appearance, such as:
 - ▶ prominent bony processes
 - ▶ loss of hair coat
 - ▶ glassy or sunken eyes

- excessively matted hair resulting in:
 - ▶ skin lesions
 - ▶ difficulty defecating
 - ▶ vision problems
- hypothermia, such as:
 - ▶ shivering
 - ▶ frost-bitten extremities
 - ▶ huddling or piling of animals
 - ▶ loss of interest in surroundings
- severe injuries and wounds
- severe emaciation
- severe dehydration
- severe diarrhea or vomiting
- moribund condition, such as:
 - ▶ inability to stand up
 - ▶ labored breathing
 - ▶ little or no response to stimuli
- agonal respiration

NOTE: Animals may mask the clinical signs of pain and distress, therefore animals may be in more pain and distress than exhibited by their behavior. You should assess both the animal and its conditions carefully.

Procedure

- Before confiscating any animal, the APHIS official must:
1. make a reasonable effort to notify the research facility of the condition of the animal [2.38(e)(1)]
 2. request that the condition be corrected by [2.38(e)(1)]
 - ▶ adequate care being given, or
 - ▶ euthanasia of the animal
 3. if the registrant or a representative of the research facility cannot be located or notified, [2.38(e)(2)]
 - ▶ contact the Regional Office
 - ▶ contact local police or other law officers to accompany him/her to the premises
 - ▶ provide adequate temporary care for the animal

	<p>If the research facility refuses to comply with this request or the condition cannot be corrected by temporary care, you should:</p> <ul style="list-style-type: none">• contact your SACS (or Regional Director, if your SACS is not available)• confiscate the animal following Policy #8 - <i>Guidelines for the Confiscation and Destruction of Animals</i>. [2.38(e)(1)& (e)(2)] <p>NOTE: Take photographs (digital photographs preferred) of the animals to support confiscation actions. These photos should be sent or transmitted to the Regional Office (see Section 6.3 - Inspection Photographs) as soon as possible.</p> <p>The research facility from which the animals were confiscated is responsible for all costs incurred in the placement or euthanasia of the animals. [2.38(e)(3)]</p>
<p>Placement of animals</p>	<p>Confiscated animals may be: [2.38(e)(3)]</p> <ul style="list-style-type: none">• placed, by sale or donation, with other USDA registered research facilities or licensed dealers that:<ul style="list-style-type: none">▸ comply with the AWA regulations and standards, and▸ can provide proper care, or• euthanized

