

Animal Exhibitors

Individuals and businesses who exhibit animals to the public for compensation (e.g., prizes, stipends, products, or publicity that directly benefits that person's business, including donations) are required to obtain a license from the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS). In addition, some businesses, such as zoos, are required to be licensed regardless of whether or not they receive compensation. 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

Individuals or businesses with warmblooded animals that are on display, perform for the public, or are used in educational presentations must be licensed as exhibitors with APHIS. Licensed exhibitors include circuses, zoos, petting farms/zoos, animal acts, wildlife parks, marine mammal parks, and some sanctuaries.

Exempted Animal Exhibitors

The AWA exempts certain animal exhibitors from regulation. Those who exhibit only farm animals in agricultural events do not require a license. State and county fairs, livestock shows, purebred dog and cat shows, dog races, horse races, and rodeos are also 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 they do not exhibit or use the animals for promotional purposes, including fundraising, or sell animals. Exhibitors showing only coldblooded animals, such as fish and reptiles, are also exempt from regulation under the AWA. APHIS is currently determining methods of regulating bird exhibitors.

The AWA Requirements

APHIS requires licensed exhibitors to 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. (For more information, refer to "The Animal Welfare Act" factsheet posted on the Animal Care program's Web site at www.aphis.usda.gov/animal_welfare.)

Recordkeeping

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

Safety Measures

Exhibitors must minimize 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, must not be exhibited in a manner that would allow them to come into direct contact with the public because they cannot be safely handled or restrained.

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.

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 regulates exhibitors through licensing and inspection. APHIS also searches for unlicensed exhibitors.

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 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 issues.

If an inspection reveals deficiencies in complying with the AWA standards and regulations, the APHIS official documents the deficiencies and gives the facility a timeframe for correction. 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 subsequent inspections, APHIS officials consider legal action. Where applicable, APHIS has the authority to confiscate animals that are suffering or in immediate danger (after giving the licensee notice and an opportunity to correct the violations involved).

APHIS may formally investigate alleged violations 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, monetary penalties, and license suspensions or revocations. If APHIS officials determine that an infraction warrants additional action, APHIS submits all evidence to USDA's Office of the General Counsel 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. The AWA does not supersede State and local authorities or restrict them in any way when the State and local laws are more stringent than the AWA. Licensees must follow all State and local laws in addition to AWA standards. 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 the licensing of animal exhibitors under the AWA, contact APHIS' Animal Care regional offices at:

Eastern Region

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

Western Region

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

For general information, contact our Animal Care headquarters at:

Animal Care, APHIS-USDA
4700 River Road, Unit 84
Riverdale, MD 20737-1234
Phone: (301) 851-3751
Fax: (301) 734-4978
Email: ace@aphis.usda.gov
Web page: www.aphis.usda.gov/animal_welfare

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