

Animal Welfare Act Guidelines for County and State Fairs

The Animal Welfare Act (AWA) requires those who exhibit animals to the public for compensation (e.g., prizes, stipends, products, or publicity that directly benefits that person's business, including donations) to obtain a license with 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.

The AWA excludes certain activities from this requirement, including the exhibition of agricultural animals for the purposes of promoting agricultural arts, sciences, and production. This exemption covers agricultural exhibits at State and county fairs. However, some exhibition activities at these venues do require an AWA license.

Regulated Animal Exhibitors

Many people exhibit their animals at events such as county and State fairs. Although APHIS does not license the organizers of such events, the agency does encourage them to verify that those who exhibit animals covered under the AWA hold an AWA license. These entities include those who:

- Allow the public to view animals for compensation;
- Train, handle, or own animals used in film or television;
- Use photographs of live animals in promotional materials such as fliers and other advertisements;
- Operate a traveling, roadside, or stationary zoo;
- Perform with animals such as in a circus or other type of show; and/or
- Use animals in educational presentations.

Examples of regulated activities that often occur at events such as fairs include:

- Exhibition—including photo shoots—of big cats (regardless of animals' ages) and of nonhuman primates;
- Elephant rides;
- Camel rides; and
- Petting zoos.

Exempted Animal Exhibitors

The AWA exempts certain animal exhibitors from Federal regulation. Those who solely exhibit farm animals in agricultural events, race animals, or show privately owned pets (e.g., purebred dog and cat shows) are typically exempt.

Other examples of exempted animal exhibitions include:

- Horse races;
- Horse shows and exhibits;
- Rodeos; and
- Animal preserves and sanctuaries that do not use the animals for promotional purposes (including in advertising materials), allow public access or viewing, or sell covered animals.

State and Local Laws

States are empowered to create and enforce their own humane treatment regulations, which, in many cases, exceed the AWA standards. 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.

AWA Standards, Compliance, and Inspections

The AWA mandates that licensed exhibitors meet minimum standards of humane care and handling for their animals. The law covers many things, from sanitation and cleanliness to space requirements for animal enclosures and recordkeeping protocols.

For the complete list of standards, please refer to the AWA regulations, which can be found on the APHIS Web site at www.aphis.usda.gov/animal_welfare.

To ensure that licensed exhibitors maintain AWA standards, licensees are also subject to unannounced compliance inspections of premises and animals covered under the law. (See the "Compliance Inspections" factsheet available at www.aphis.usda.gov/animal_welfare/pubs_reports.shtml).

Additional Information

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

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