

<p>DOCUMENTING INSPECTION FINDINGS</p>	<p>Inspection findings must be documented in the narrative section of the inspection report.</p>
<p><i>No noncompliant items identified</i></p>	<p>A) If all items are in compliance and no noncompliant items (NCIs) were cited on the previous inspection, then the following statement should be typed on the inspection report: “No noncompliances identified this inspection.” (Ctrl + 7 in the inspection report template)</p> <p>B) If all items are in compliance and there was a noncompliant item(s) cited on the previous inspection, then:</p> <ol style="list-style-type: none"> 1) list the corrected item under: “Category I: Noncompliant item(s) previously identified that have been corrected.” (Ctrl + 1 in the inspection report template) 2) use the following citation format: <ul style="list-style-type: none"> ▶ section & subsection number(s) ▶ regulation/standard heading ▶ brief description of correction 3) type the following statement on the inspection report: “No noncompliances identified this inspection.” (Ctrl + 7 in the inspection report template) <p>EXAMPLE: CATEGORY I: Noncompliant item(s) previously identified that have been corrected. SECTION 2.31(b)(3)(ii) IACUC MEMBERSHIP - A new non-affiliated member has been appointed by the Institutional Official to the IACUC.</p> <p>SECTION 3.1(e) STORAGE OF FOOD - Open bags of dog food are now stored in leakproof containers with tightly fitting lids.</p> <p>“No noncompliances identified this inspection.”</p>

<i>Noncompliant item identified</i>	<p>If a noncompliant item(s) is identified, then cite it under one of the following three categories:</p>
CATEGORY II	<p>CATEGORY II: Noncompliant item(s) previously identified for which time remains for correction. (Ctrl + 2 on the inspection report template)</p> <p>This is an NCI which was cited on a previous inspection but the correction date has not passed or the research facility has received an extension for correction from the Regional Office.</p> <p>Cite as follows:</p> <ul style="list-style-type: none">• section & subsection number(s) NOTE: Be sure the section/subsection is the same cited on the previous inspection(s). If the incorrect section or subsection was cited, cite the correct section and subsection and add: "Cited incorrectly under (<i>section/subsection #</i>) on (<i>date</i>) inspection."• regulation/standard heading• brief description of the NCI• original correction date if not passed or extension correction date• "Direct" NCI designation, if appropriate (see Indirect & Direct Noncompliant Items - Section 7.6) <p>EXAMPLE:</p> <p>CATEGORY II: Noncompliant item(s) previously identified for which time remains for correction.</p> <p>SECTION 3.51(d) INDOOR FACILITIES-INTERIOR SURFACES - Paint on floors in rabbit rooms in Union Hall is peeling and floors have not been repaired yet. Extension granted by Regional Office until 10/1/00.</p>

<p>CATEGORY III</p>	<p>CATEGORY III: Noncompliant item(s) identified this inspection. (Ctrl + 3 on the inspection report template) This is an NCI newly identified on the current inspection.</p> <p>Cite as follows:</p> <ul style="list-style-type: none"> • section & subsection number(s) • regulation/standard heading • clear, detailed description of the noncompliance including, but not limited to: <ul style="list-style-type: none"> ▶ location of the problem, e.g., building, barn, farm ▶ specific place or area of the problem, e.g., room, pen, location within pen ▶ complete description of what is not in compliance ▶ species and number of animals or specific animal affected • restatement or paraphrase of the appropriate regulation or standard (optional) • correction date - “To be corrected by:(<i>date</i>)” (Ctrl + 6 on the inspection report template) Note: If an NCI is corrected during the inspection, the inspector may use his/her discretion whether or not to cite the NCI. If cited, put “Corrected during the inspection.” • “Direct” NCI designation, if appropriate (see Indirect & Direct Noncompliant Items - Section 7.6) <p>NOTE: A statement which describes how to correct the noncompliance should not be written on the inspection report. If requested by the research facility representative, you, the inspector, may discuss ways to correct the noncompliance.</p> <p>EXAMPLES: <u>Single NCI involving one section of regulations/standards:</u> SECTION 2.31(d)(ii) - Protocol #99-85 involves a procedure which will cause more than momentary pain and there is no documentation in the protocol that a search for alternatives was conducted. 10 cats are affected. To be corrected by: (<i>date</i>).</p>
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Single NCI involving multiple sections of regulations/standards:
SECTION 3.1(e), 3.25(c), 3.50(c), 3.75(e) STORAGE OF FOOD - Food storage room (Rm #44 in basement of Union Hall used to store food for dogs, guinea pigs, rabbits, and nonhuman primates) is cluttered, has broken bags with food spilling on floor and food bags are stored on the floor and are touching the walls. Animals affected: 15 dogs, 125 guinea pigs, 200 rabbits, & 4 nonhuman primates. To be corrected by: *(date)*.

Similar but not the same noncompliance involving multiple sections and subsections of the regulations/standards:
SECTION 3.26(c) LIGHTING - In Room 3 of Smith Hall, spotlight is pointed directly into guinea pig cages 37 & 38, creating excessive illumination. 10 guinea pigs are affected. To be corrected by: *(date)*.

SECTION 3.76(c) LIGHTING - Five nonhuman primates housed in Rm 48 in the Case Facility are not provided a regular diurnal lighting cycle. The lights are on only during cleaning which is 1-2 hours of every 24 hour period. To be corrected by: *(date)*.

SECTION 3.126(c) LIGHTING - Lighting in Room #22 of Veterinary Barn containing 10 goats is not adequate to permit routine inspection and cleaning. Only two 50 watt bulbs provide the lighting. To be corrected by: *(date)*.

Multiple noncompliances involving one section and subsection of the regulations/standards:

SECTION 3.1(a) STRUCTURE AND CONSTRUCTION -

- Roof of the Farm Building containing dog kennels has an opening due to rotted wood in the southeast corner which allows rain and snow to enter building.
- Partition between the whelping room and the food storage area has numerous holes.
- Front door of the Farm Building has a broken window.

A total of 15 dogs are affected. To be corrected by: *(date)*.

CATEGORY IV

Multiple noncompliances involving the same section but different subsections:

SECTION 2.31 - IACUC:

SECTION 2.31(c)(1) - The semi-annual review of the program of humane care and use was not conducted. The previous review of the humane care and use program was conducted on 1/5/99. To be corrected by *(date)*.

SECTION 2.31(c)(2) -The semi-annual inspection of all the animal facilities was not conducted. The previous inspection was conducted on 1/5/99. To be corrected by *(date)*.

SECTION 2.31(c)(3) - Because the semi-annual review of the humane care and use program and the facility inspection were not conducted, the semi-annual report was not submitted to the Institutional Official.

To be corrected by: *(date)*.

CATEGORY IV: Noncompliant item(s) previously identified that have not been corrected. (Ctrl + 4 on the inspection report template)

This is:

- a noncompliance cited on the previous inspection or previous consecutive inspections which has not been corrected, and/or
- a new noncompliance of the same section & subsection cited the previous inspection as a Category III or IV. For example, inadequate lighting cited in one building on the previous inspection has been corrected, but on current inspection, there is inadequate lighting in another building.

Cite as follows:

- section and subsection
NOTE: Be sure the section/subsection is the same cited on the previous inspection(s). If the incorrect section or subsection was cited, cite the correct section and subsection and add: "Cited incorrectly under (*section/subsection #*) on (*date*) inspection."
- regulation/standard heading
- clear, detailed description of the noncompliance including, but not limited to:
 - ▶ location of the problem, e.g, building, barn, farm
 - ▶ specific place or area of the problem, e.g., room, pen, location within pen
 - ▶ complete description of what is not in compliance
 - ▶ species and number of animals or specific animal affected
- description of partial corrections
- "Direct" NCI designation, if appropriate (see Indirect & Direct Noncompliant Items - Section 7.6)

NOTE: DO NOT ASSIGN A NEW CORRECTION DATE, but you may reference the previously assigned correction date.

EXAMPLE:

SECTION. 3.6(a)(2)(ix) PRIMARY ENCLOSURES-GENERAL REQUIREMENTS - Of the 10 pens previously cited, the wooden side walls and floors of 7 pens (*if pens are numbered, include the numbers*) on west side of room 12 in Smith Building are still chewed and scratched and are not impervious to moisture. Three pens (*if pens are numbered, include the numbers*) have been repaired. A total of 21 dogs are affected.

Enforcement Action

Inspection reports with Category IV noncompliant items should be accompanied by a recommended enforcement action.

Possible enforcement actions are:

- **no action**
 - ▶ submit a request for no action on a separate memo or note with the inspection report to the Regional Office
 - ▶ memo/note should explain why no action is requested
 - **enforcement statement (Ctrl + 9 on the inspection report template) - “This is a warning that you have had the same alleged violation(s) documented on your last two inspections. You are being given the opportunity to correct these violations only for the purpose of facilitating compliance with the Animal Welfare Act and the regulations and standards. If legal action is initiated against you, all alleged violations may be used as evidence at a formal adjudicatory hearing.”**
 - ▶ place this statement on the inspection report after the Category IV noncompliant item(s)
 - ▶ use the enforcement statement when you do **not** want another type of enforcement action
- NOTE: Use of the enforcement statement does not “settle” a noncompliant item(s) and an Official

**No Regulated
Animals Present**

- Warning, stipulation, or investigation may be requested if the noncompliance is not corrected by the next inspection.
- ▶ do **NOT** use this statement with a “direct” NCI
 - ▶ do **NOT** put this statement on the inspection report if the research facility has pending enforcement actions, such as an open investigation
 - **Official Warning** (APHIS Form 7060):
 - ▶ submit a request for an official warning on a separate memo or note with the inspection report to the Regional Office

Note: The issuance of an Official Warning is an action that “settles” the noncompliant item(s). Using this action during an open investigation will close that investigation.
 - **stipulation/investigation:**
 - ▶ submit a request for a stipulation or investigation on a separate memo or note with the inspection report to the Regional Office

NOTE: You can only request one enforcement action at a time.

A research facility with no regulated animals present may or may not be inspected at the inspector’s discretion.

Factors to consider when deciding whether to inspect a research facility include, but are not limited to:

- new research facility added to your territory
- a site or location of a research facility which you have never inspected before, e.g., new campus, new building, or new farm
- facility with past noncompliances
- no animals currently at facility but regulated animals are housed or used at the facility, such as teaching protocols involving animals for a few weeks in the spring and fall

If you conduct an inspection:

- classify the inspection as “Routine”

- if a partial inspection, state which areas were inspected, such as records and/or specific locations
- NCIs found during the inspection should be properly cited
- for the correction date use the following or similar statement: “Correct before being used for animals regulated by the Animal Welfare Act.”

If you do **not** conduct an inspection,

- do not complete an inspection report
- send a memo to your Regional Office explaining why an inspection was not conducted