

<b>SEARCH INSPECTION</b>	<p>A search is an investigation of anything relating to unregistered activity.</p>
<b>Subjects of Searches</b>	<p>Subjects of searches include, but are not limited to:</p> <ul style="list-style-type: none"><li>• a research facility whose registration was canceled due to non-renewal without explanation</li><li>• a non-registered research facility purchasing regulated animals</li><li>• previously identified violators</li></ul> <p>Use good judgment to decide when you have made a reasonable effort to verify a research facility's activities.</p> <p>Examples of ways to verify a research facility's possible regulated activities are:</p> <ul style="list-style-type: none"><li>• making phone calls</li><li>• checking broker records</li><li>• checking dealer records</li><li>• visiting the facility</li><li>• communicating with other inspectors</li></ul>
<b>Sources of Information</b>	<p>Sources of information include, but are not limited to:</p> <ul style="list-style-type: none"><li>• anonymous tips</li><li>• general public</li><li>• animal protection groups</li><li>• whistle blowers</li><li>• APHIS personnel</li><li>• journal/newspaper articles</li><li>• dealer records</li><li>• city, county, or State agency</li><li>• State health certificates</li><li>• other Federal agency</li></ul> <p>Sources may provide information by the following methods:</p> <ul style="list-style-type: none"><li>• phone calls</li><li>• letters</li><li>• e-mail</li><li>• personal contact</li></ul>

**Information  
Follow-up**

NOTE: The informant does not have to give his/her name. If the informant does give his/her name, the person's name should not be given out, in order to maintain confidentiality.

**Decide if the information supplied to the Animal Care program involves a regulated activity or animal.**

If the information **does not** involve a regulated activity/animal:

- educate the informant about regulated activities/animals
- thank the informant for his/her interest in the welfare of animals
- refer the informant to the appropriate office/agency, if known. Possible referral agencies include:
  - ▶ NIH - OLAW
  - ▶ AAALAC
  - ▶ US Fish & Wildlife Service
  - ▶ State wildlife agency
  - ▶ State animal welfare agency
- take no further action

If the information **does** involve a regulated activity/animal:

- thank the informant for his/her interest in the welfare of animals
- complete the top portion of a Complaint/Search sheet (see page 8.7.6)
- determine if the information applies to a research facility in your territory

If the information applies to a research facility **not in your territory**:

- tell the informant that the facility is not in your territory but that you will forward the information to the Regional Office for distribution to the appropriate inspector
- give the informant the Regional Office's phone number for follow-up
- forward the Complaint/Search sheet and any supplemental information (e.g., copies of records, invoices, sale bills) to the Regional Office

**Conducting  
the Search**

If the information applies to a research facility **in your territory**, conduct a search.

Verify the information received by:

- contacting the research facility
- gathering additional information, such as:
  - ▶ contacting witnesses
  - ▶ assessing records
  - ▶ reviewing newspaper or journal articles

If regulated activities are **not** being conducted:

- complete the bottom portion of Complaint/Search sheet
- submit your findings to the Regional Office

If regulated activities **are** being conducted:

- inform and make available to the responsible person at the research facility all the pertinent aspects of the AWA and regulations/standards
- explain that the activity requires a USDA registration
- request a decision about the continuation of this activity
- give or have the Regional Office send an Application for Registration (APHIS Form 7011) and other pertinent forms and information, or an application packet, if applicable, to the responsible person
- decide whether or not to request permission to inspect the facility. Situations where you may decide **not** to request permission to inspect include, but are not limited to:
  - ▶ you are able to see animals and no major problems are observed
  - ▶ responsible person is uncooperative and threatening

If the responsible person **allows an inspection** of the facility, the inspection report should be completed as follows:

- classify the inspection as “Routine”
- note in the narrative that this was a “**Search**” inspection
  - ▶ document all noncompliant items
  - NOTE: No correction date(s) should be given.
  - ▶ include a citation of “SECTION 2.30(a) - CONDUCTING REGULATED ACTIVITIES

- ▶ WITHOUT A REGISTRATION” and describe the regulated activity
- ▶ state the following at the end of the inspection report:  
“NO REGULATED ACTIVITIES MAY BE CONDUCTED UNTIL USDA REGISTRATION IS OBTAINED.”

If after the inspection the responsible person refuses to sign the inspection report, send the report to him/her by certified, return receipt mail.

If the responsible person **refuses to allow an inspection** of the facility:

- inform the responsible person that the research facility is in violation of the Animal Welfare Act by conducting a regulated activity without a registration
- give or have the Regional Office send an Application for Registration (APHIS Form 7011) and other pertinent forms and information, or an application packet, if applicable, to the responsible person
- submit a memo to the Regional Office:
  - ▶ describe the regulated activity that is being conducted
  - ▶ indicate that an inspection was not permitted
  - ▶ make a recommendation regarding enforcement action

If you decide **not to conduct an inspection**:

- inform the responsible person that the research facility is in violation of the Animal Welfare Act by conducting a regulated activity without a registration
- give or have the Regional Office send an Application for Registration (APHIS Form 7011) and other pertinent forms and information, or an application packet, if applicable, to the responsible person
- submit a memo to the Regional Office:
  - ▶ describe the regulated activity being conducted
  - ▶ indicate the reason why you did not conduct an inspection

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**Post-Search  
Procedures**

After conducting the search, ALWAYS:

- complete the bottom portion of the Complaint/Search sheet
- determine the validity of the information as requested on the Complaint/Search sheet:
  - ▶ valid if a regulated activity was being conducted
  - ▶ invalid if no regulated activity was being conducted
- submit the Complaint/Search sheet with the inspection report or memo to the Regional Office
- make your recommendation regarding any enforcement action or no action in a separate memo

If the research facility was conducting a regulated activity and neither you nor the Regional Office have heard from the facility within 6 months, you should check to determine if the research facility is still conducting the regulated activity.

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