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APHIS Lifts Stay on Contingency Plans for AWA-Covered Animals

As required by the fiscal year 2021 Consolidated Appropriations Act and following a review, the Animal and Plant Health Inspection Service (APHIS), part of the U.S. Department of Agriculture, has lifted a stay imposed eight years ago on a 2012 final regulation that required “research facilities and dealers, exhibitors, intermediate handlers, and carriers [to] meet certain requirements for contingency planning and training of personnel.” As APHIS explained in the Dec. 3 *Federal Register* notice, it first proposed lifting the stay in a June 25 notice. The final rule makes minor changes to the 2012 regulation, which the agency stayed a year later, such as changing dates. APHIS first called for contingency plans in a 2008 proposed rule that was a response to the (still) record of 15 hurricanes, including Katrina, that occurred in 2005. At the time, APHIS’ animal care program concluded that “entities responsible for animals covered by the AWA [Animal Welfare Act] could better safeguard the health and welfare of their animals by developing contingency plans for possible emergencies or disasters.”

According to the 2012 regulation, plans will need to be developed and reviewed annually but do not have to be submitted to the agency, which described the “minimum criteria necessary to ensure a successful contingency plan.” Among the criteria are identifying common emergencies and describing “specific tasks required to be carried out in response to the identified emergencies including, but not limited to, specific animal evacuation plans or shelter-in-place plans and provisions for providing backup sources of food and water as well as sanitation, ventilation, bedding, veterinary care, etc.,” as well as listing individuals and their responsibilities. The effective date of the regulation is Jan. 3, 2022, and registered organizations must have plans in place by July 5, 2022. Training for personnel is required within 60 days after the plan is put in place, according to the December final rule. Organizations that have a Public Health Service animal welfare assurance are already required to implement similar disaster plans.

[Link to Dec. 3 final rule](#)

[Link to Dec. 31, 2012, final rule](#)

[Link to Oct. 23, 2008, proposed rule](#)

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