



May 24, 2010

Dr. Chester A. Gipson
Deputy Administrator- Animal Care
United States Department of Agriculture
Animal and Plant Health Inspection Service
4700 River Road
Riverdale, MD 20737

Dr. Gerald Rushin
Veterinary Medical Officer
United States Department of Agriculture
Animal and Plant Health Inspection Service
4770 River Road
Riverdale, MD 20737

Drs. Gipson and Rushin:

On behalf of the Companion Animal Protection Society (“CAPS”) and Ms. Howard, we wanted to take a moment to congratulate USDA and APHIS for planning to provide more accessible Animal Welfare Act enforcement information to the public on a regular and systematic basis. CAPS welcomes the increased transparency and enhanced enforcement effort described during the May 20, 2010 Animal Care Stakeholder Update meeting and in Administrator Smith’s April 29, 2010 press release (enclosed). Quite frankly, these developments are long overdue.

As you know, CAPS has been working hard to ensure that APHIS appropriately pursues egregious and repeat violators of the Animal Welfare Act, particularly in the puppy mill industry. We are pleased to note that many of the recommendations that CAPS has advocated for over the past several years are apparently being addressed in the current initiative – increased program oversight, focused enforcement of federally-licensed facilities with an emphasis on repeat violators, more inspectors and better training for those inspectors, consistent and effective inspection guidance and documentation of violations, better transparency, and enhanced stakeholder involvement. We also look forward to the upcoming Inspector General’s investigation and report and hope that APHIS seriously addresses any shortcomings that are addressed in that report. Prior reports have largely been ignored by the agency. CAPS has been advocating for another

Dr. Chester A. Gipson
Dr. Gerald Rushin
May 24, 2010
Page 2

independent assessment of the Animal Care Program either by Congress or the Inspector General's Office for the past several years and is pleased to see that another investigation has finally been performed.

Although there is much work to do to ensure that humane and ethical treatment of companion animals by APHIS-licensed breeders and brokers is the industry norm, these recent developments are an important step in the right direction, and CAPS thanks you for your role in this critical effort. As always, CAPS stands ready to assist APHIS in any way that it can.

Sincerely,



Ed Green and Dave Ross
Crowell & Moring LLP
1001 Pennsylvania Ave., NW
Washington, DC 20004
P: 202.624.2500
F: 202.628.5116

Pro Bono Counsel for CAPS

Enclosures
11615525

cc: Deputy Secretary Kathleen Merrigan
Deputy Under Secretary John Ferrell
Administrator Cindy Smith
Deborah Howard



United States
Department of
Agriculture

Animal and Plant
Health Inspection
Service

4700 River Road
Riverdale, MD 20737

Animal Care Stakeholder Update

May 17, 2010

On May 20, 2010, USDA will be hosting an information briefing to discuss our enhanced enforcement of the Animal Welfare Act. Deputy Secretary Kathleen Merrigan and Deputy Under Secretary John Ferrell of Marketing and Regulatory Programs will participate.

The briefing will be held at 5 P.M. in Room 3109-S of the South Building.

If you will be attending, please RSVP to Toni Smith, (301) 734-4980. Please enter the South Building via the Smithsonian Metro Station entrance. Wing 1 and be prepared to show proper identification to the security guards. Upon clearance, there is a set of elevators that you will take to the third floor. From the elevator, make a left and then a sharp right and you will see the meeting room.

For those who cannot attend in person, USDA has set up a conference call. The number for that call is 888-395-6878, pass code 9405600.

Chester A. Gipson
Deputy Administrator
Animal Care



Safeguarding American Agriculture

APHIS is an agency of USDA's Marketing and Regulatory Programs
An Equal Opportunity Provider and Employer

Federal Relay Service
(Voice/TTY/ASCII/Spanish)
1-800-877-8339



NEWS RELEASE

United States Department of Agriculture • Animal and Plant Health Inspection Service • Legislative and Public Affairs
4700 River Road, Riverdale, MD 20737-1232 • Voice (301) 734-7799 • Web: <http://www.aphis.usda.gov>

Contact:
David Sacks (301) 734-5271
Andrea McNally (301) 734-0602

APHIS to Issue Animal Welfare Enforcement Information

WASHINGTON, April 29, 2010 - The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) will begin issuing press releases announcing the outcome of enforcement actions it has taken in response to violations of the Animal Welfare Act (AWA).

"It is clear that certain repeat offenders are not taking issues of animal welfare and humane treatment seriously enough," APHIS Administrator Cindy Smith said. "In turn, APHIS will not only be moving more swiftly to take enforcement action, but we will be making information about those enforcement actions available to the public on our Web site."

Beginning in June, APHIS will issue monthly press releases that include case summaries where the agency is charging people and businesses with violations of the AWA. The press releases will also provide summary information about closed enforcement cases and penalties levied.

The agency previously issued press releases of this nature, but discontinued the practice in 2002.

Note to Reporters: USDA news releases, program announcements and media advisories are available on the Internet and through Really Simple Syndication (RSS) feeds. Go to the APHIS news release page at www.aphis.usda.gov/newsroom and click on the RSS feed link. To receive APHIS releases automatically, send an e-mail message to lyris@mdrdlyriss10.aphis.usda.gov and leave the subject blank. In the message, type `subscribe press_releases`.

USDA is an equal opportunity provider, employer and lender. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice), or (202) 720.6382 (TDD).