

Unsatisfactory Optimal Hours Response Letter



United States Department of Agriculture

Animal and Plant
Health Inspection
Service

4700 River Road
Riverdale, MD 20737

(Date)

(Name)
(Address)

Dear (Name),

The inspection process is fundamental to ensuring the well-being of all animals regulated under the Animal Welfare Act. As a courtesy to persons licensed or registered under the Animal Welfare Act, we allow the licensee or registrant to identify optimal hours during only a few weekdays, as opposed to all five, during which we make every effort to conduct our unannounced inspections. Although we provide this courtesy, we retain the authority to inspect at any time during business hours. These "business hours" are defined in the regulations as a reasonable number of hours between 7 a.m. and 7 p.m., Monday through Friday.

The hours that you requested () are not considered sufficient to facilitate unannounced inspections. Current agency guidance states optimal hours for inspection should be at least four hour blocks of time during daylight hours 3 days per week. Alternative arrangements may be accepted by inspectors if they feel that it will adequately facilitate unannounced inspections. Until such time as you designate appropriate optimal hours for inspection, APHIS Officials will continue to inspect during regular business hours.

We recognize that depending on your circumstances, it may be difficult to arrange consistent times of availability during those hours, therefore, you may also elect to designate an alternative authorized person if there is someone else that is able to facilitate inspection in the event that you are not available.

If you do not designate hours of inspection or an alternative authorized person and no one is available when we arrive to conduct an inspection during regular business hours, this will be cited as an attempted inspection. In accordance with current agency guidance, we will call any phone number(s) provided by you and wait for up to 30 minutes. If you or an authorized person can be at the facility within that time we will wait and conduct the inspection when you arrive. If no one can be contacted within 30 minutes, or no authorized person is available, your unavailability will be documented as an attempted inspection.

If you do provide appropriate optimal hours of inspection, then you will only be cited for an attempted inspection if no one is available during these designated hours.

If you have any questions or would like to discuss or establish appropriate optimal hours, please contact me at (your cell here) .

Sincerely,
(Your Name Here)
(Your Title Here)
(USDA, APHIS, Animal Care)

Cc: file

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