



United States Department of Agriculture

Animal and Plant Health  
Inspection Service

Animal Care

Riverdale, MD Office:  
4700 River Road  
Unit 84  
Riverdale, MD 20737  
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VIA: UPS Delivery Service

August 24, 2023

UNIV OF TENNESSEE KNOXVILLE OFF LAB AN CARE

2415 Fletcher Luck Lane  
Third Creek Building  
KNOXVILLE, TN 37996

## OFFICIAL WARNING NOTICE OF ALLEGED VIOLATION

Re: Reference number TN230053

Dear Sir or Madam:

We believe that you failed to comply with the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), and its implementing regulations, as described in the attached Official Warning. Our agency, the Animal and Plant Health Inspection Service (APHIS), is responsible for enforcing the AWA, and regulations and other agriculture laws that help prevent the spread of animal and plant pests and diseases and ensure the welfare of animals.

After providing you with an opportunity for a hearing, we may pursue civil penalties of up to \$10,000, subject to adjustments for inflation, or other sanctions, for each alleged violation described in this Official Warning. Although we have authority to pursue penalties for the type of alleged violation(s) described in this Official Warning, we have decided not to pursue penalties in this instance so long as you comply, in the future, with the AWA and regulations.

***What happens if I do not comply in the future?*** If you fail to comply in the future, we may pursue criminal penalties, or we may pursue civil penalties for the alleged violations described in this Official Warning, in addition to any penalties we may pursue for any future violations.

***What should I do if I have questions?*** If you have any questions concerning this Official Warning, contact Jeffrey Shepherd, Assistant Director of Field Operations, at [jeffrey.shepherd@usda.gov](mailto:jeffrey.shepherd@usda.gov) or call our main office at (970) 494-7478, between 9:00 a.m. and 5:00 p.m. Mountain Standard Time.

***I am a small business owner and have comments or concerns regarding APHIS's enforcement of animal and plant health laws. Who should I contact?*** If you have comments about APHIS's enforcement of animal and plant health laws, please contact Sarah Helming, the APHIS Small Business Ombudsperson, at (301) 851-2248. If you prefer to comment to someone outside APHIS, contact the Small Business Regulatory Enforcement Ombudsman at <http://sba.gov/ombudsman>, email [ombudsman@sba.gov](mailto:ombudsman@sba.gov), or 1-888-REG-FAIR. The SBA Ombudsman's office receives comments and annually evaluates federal agency enforcement activities for their responsiveness to the special needs of small businesses.

Sincerely,

Dr. Roxanne Mullaney, D.V.M.  
Acting Deputy Administrator  
APHIS Animal Care



<p>UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE</p> <p><b>USDA</b></p> <p><b>OFFICIAL WARNING</b></p> <p><b>NOTICE OF ALLEGED VIOLATION</b></p>	<p><b>CASE NUMBER:</b> TN230053</p>
	<p><b>ALLEGED VIOLATOR:</b> UNIV OF TENNESSEE KNOXVILLE OFF LAB AN CARE</p>
	<p><b>ADDRESS (City, State, ZIP Code):</b> KNOXVILLE, TN 37996</p>
<p>The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following alleged violation(s) of Federal laws:</p> <p><b>Date of Alleged Violation: June 15, 2023</b></p> <p><b>9 C.F.R. § 2.32(a) Personnel qualifications.</b></p> <p>It shall be the responsibility of the research facility to ensure that all scientists, research technicians, animal technicians, and other personnel involved in animal care, treatment, and use are qualified to perform their duties. This responsibility shall be fulfilled in part through the provision of training and instruction to those personnel.</p>	

The Animal and Plant Health Inspection Service (APHIS) published federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the alleged violation(s) described above. This Official Warning is not to be construed as a final agency action, or as an adjudicated finding of a violation. If APHIS obtains evidence of any future violation of these federal regulations, APHIS may pursue civil penalties, criminal prosecution, or other sanctions for this alleged violation(s) and for any future violation(s). If you have any questions concerning this Official Warning or alleged violation(s), please contact the APHIS official listed in this notice.

<b>APHIS OFFICIAL (Name):</b> Dr. Roxanne Mullaney, D.V.M.	<b>OFFICE ADDRESS:</b> 4700 River Road, Unit 84 Riverdale, MD 20737	
<b>APHIS OFFICIAL (Title):</b> Acting Deputy Administrator, APHIS, Animal Care	<b>DATE ISSUED:</b> August 24, 2023	<b>TELEPHONE NUMBER:</b> (970) 494-7478

APHIS FORM 7060

Previous editions may be used

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