

DEPARTMENT OF THE TREASURY
EXECUTIVE OFFICE FOR ASSET FORFEITURE

DIRECTIVE NO. 15

DATE: March 4, 2016

SUBJECT: Seizure of Livestock and Registered Animals

1. **PURPOSE.** This Department of the Treasury Executive Office for Asset Forfeiture (TEOAF) Directive No. 15 establishes Treasury policy for seizures involving livestock or registered animals. It is intended to provide uniformity in the application of these procedures by Treasury investigative agencies.
2. **SCOPE.** This Directive applies to all seizing agencies participating in the Treasury Forfeiture Fund (TFF).
3. **POLICY.** The decision to seize livestock or animals is multidimensional and requires extraordinary analysis from both an operational and economic perspective. Thoughtful pre-seizure planning and active engagement in post-seizure asset management decisions are imperative. The seizing agency must therefore consult with TEOAF before undertaking any seizure that falls within the scope of this directive.
4. **RESPONSIBILITIES.** The seizing agency is required to a) engage the TEOAF property team at the earliest opportunity prior to executing any seizure that falls within the scope of this directive, b) ensure that the instructions in this directive are followed, c) remain engaged throughout the property management process, and d) promptly notify the TEOAF property team should any problems or potential problems arise
5. **PROCEDURES.**
 - A. **Pre-seizure Planning**
 - (1) Pre-Seizure planning in this type of seizure is of utmost importance and should result in an initial determination of the estimated value of the animals targeted for seizure. Where applicable, the animals should be identified by name, type, number, and/or unique identifier(s) (e.g., tag number, tattoo number, etc.). Determining the status of the animal's lineage and registration is of prime importance because obtaining that documentation could drastically affect their value. The value of non-registered animals could be very low or even difficult to establish, whereas, registered animals typically carry a much higher value.
 - (2) If the animals targeted for forfeiture are registered with appropriate associations (e.g., the American Quarter Horse Association, American Kennel Club), then every effort should be made to document the registration and obtain copies of the registration papers in advance of seizure.
 - (3) Estimated costs for the care and management of the animals should be developed to determine the cost effectiveness of seizing the targeted animals. It might be necessary to identify commercial sources for services required for the management, care, breeding, transportation and disposal of the animals. This should be accomplished in conjunction with the national seized property contractor and in consultation with TEOAF.

(4) Agents of the seizing investigative agency should carefully review seizure warrants or warrants of arrest in rem to ensure that animals are accurately identified and courtesy copies should be provided to TEOAF as soon as practicable.

(5) The seizure documents should specify that any possible offspring are also subject to forfeiture and that the TFF participating agency has the responsibility for taking the necessary actions to maintain the value of the animals.

B. Seizure and Management

Some of these tasks may be performed by the seizing agencies but most will be accomplished by disposition order to the national seized property contractor.

(1) Appropriate animal registries should receive written notification of the seizure of specific animals to facilitate future sale of the animals.

(2) Registration paperwork, inoculation, pedigree, and other related documentation should be located and seized as early as possible.

(3) A veterinarian should examine animals that are seized as soon as practicable, and the results of the examination should be documented and maintained in the case file as well as the records of the national seized property contractor.

(4) An appraisal should be completed for each animal that is seized. A professional who is knowledgeable about the type of livestock being appraised and who is qualified to perform the appraisal should accomplish the appraisal. The appraiser should be independent of any service provider or potential service provider.

(5) Seized animals should be maintained in a cost-effective manner that will maintain or enhance their value consistent with normal industry practices. For example, maintenance for race horses includes recurring medical examinations and care, breeding, showing, and non-race training, all of which can be very expensive. Where circumstances warrant, the seizing agency should coordinate funding for these purposes with the national seized property contractor and the property team at TEOAF, especially if requesting race training. The seizing agency shall demonstrate the absolute need for this type of training.

C. Disposition

1) Given the costs associated with the management of livestock, in judicial cases the TFF participating agency, in coordination with the U.S. Attorney's Office, shall dispose of the livestock through interlocutory sale, when appropriate.

2) Depending on the type and value of the seized animals, proposed disposal strategies should include the auction of animals through the appropriate animal associations and/or local auction houses. This should be coordinated by the national seized property contractor.

6. AUTHORITY. 31 U.S.C. § 9705; Treasury Directive 27-03, "Organizations and Function of the Office of the Assistant Secretary (Enforcement)"; Delegation Memorandum dated May 19, 1995, "Technical Correction to EOAF Delegation of Authority"; and Treasury Order 102-14, March 24, 2007, "Delegation of Authority with Respect to the Department of the Treasury Forfeiture Fund."

7. **INFORMATION CONTACT.** All inquiries should be directed to TEOAF's Property Team at (202) 622-9600.

8. **CANCELLATION.** TEOAF Directive No. 15, "Seizures of Livestock and Registered Animals," April 8, 1994 is hereby superseded.

9. **EFFECTIVE DATE.** March 4, 2016.

/S/
John Farley
Acting Director
TEOAF