Theft or Loss of a Select Agent or Toxin

An entity is required by regulation to notify the Federal Select Agent Program (FSAP) immediately upon:

- Discovery of an unauthorized removal of a select agent or toxin (i.e., a theft) in a laboratory.
- Discovery of the failure to account for a select agent or toxin (i.e., a loss) in a laboratory.

Upon notification, FSAP helps to ensure that any potential risks to the health of humans, animals, or plants – or further vulnerabilities to inventory – are addressed and that appropriate federal authorities are informed of any potential criminal activity.

Since the program's establishment in 2003:

- There have been no reported thefts of select agents or toxins.
- The vast majority of reported losses are the result of recordkeeping issues.

No indications of criminal intent have been identified.

FSAP works with the entity to make sure that any potential risks to public health or agriculture, or further vulnerabilities to inventory, have been addressed and provides assistance in those efforts as needed.

FSAP shares this information with the Federal Bureau of Investigation (FBI):

- FBI has authority to investigate these incidents in order to determine if a violation of federal law occurred.
- This may result in criminal penalties.

If an investigation is opened by FBI:

- FSAP is informed by FBI of whether or not there were indications of criminal intent.

Entity identifies a theft or loss

Entity notifies appropriate federal, state, or local law enforcement agencies, as required

Entity reports to FSAP:

- Immediately via phone call or email
- Within 7 days, an official report is required by filling out the APHIS/CDC Form 3