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**CITATION AND NOTIFICATION OF PENALTY**

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

**Date of Alleged Violation: March 28, 2018, May 31, 2018, September 11, 2019**

**9 C.F.R. § 2.40(b)(2)** Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

You failed to employ appropriate methods to prevent, control, diagnose, and treat diseases and injuries by the attending veterinarian as required as follows:

APHIS officials observed a male camel lying on the ground and foaming at the mouth and a juvenile Southdown sheep limping with urine and fecal stained wool down the back of its rear legs. (March 28, 2018)

APHIS officials observed a rabbit with hair loss and wounds on the right and left flank areas. The right eyelid was red, draining and swollen shut. The rabbit was quivering and it's ambient temperature was 80° F. (May 31, 2018)

APHIS officials observed three capybaras with hair loss that appeared to be red and irritated and two adult cattle that appeared to be underweight, with prominent ribs and pelvic bones. (September 11, 2019)

The conditions of these animals were not communicated to the Attending Veterinarian for directions on veterinary care until after you were instructed to do so by APHIS officials

**Date of Alleged Violation: September 11, 2019**

**9 C.F.R. § 2.40(b)(3) Attending Veterinarian and Adequate Veterinary Care.**

(b)Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: (3) Daily observation of all animals to assess their health and well-being; Provided, however, That daily observation of animals may be accomplished by someone other than the attending veterinarian; and Provided, further, That a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian;

APHIS officials observed a male Guanaco limping on its right, front leg. The animal was non-weight bearing when standing with an extremely abnormal gait. The animal had been previously been observed by the Attending Veterinarian, but the animal's worsened conditioned was not communicated to the Attending Veterinarian.

**Date of Alleged Violation: July 29, 2019**

**9 C.F.R. § 3.52(a) Facilities, outdoor.** When the atmospheric temperature exceeds 90 °F. artificial cooling shall be provided by a sprinkler system or other means.

In the outdoor rabbit enclosure, APHIS officials documented atmospheric air temperatures between 98° and 105°F. The enclosure lacked artificial cooling and the rabbits were observed to be stretched out on the bottom of cages. Although water was present, the water temperatures were equivalent to the surrounding air temperature.

**Date of Alleged Violation: March 28, 2018**

**9 C.F.R. § 3.54(a), (b) Feeding.** (a) Food shall be free from contamination, wholesome, palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the rabbit.

(b) All food receptacles shall be kept clean and sanitized at least once every 2 weeks. If self-feeders are used for the feeding of dry feed, measures must be taken to prevent molding, deterioration or caking of the feed...

You failed to provide food of sufficient quantity and failed to keep self-feeders clean and sanitized as required. APHIS officials observed three rabbit hutches, that contained six (6) rabbits, with no food in the feeders. Another enclosure of two hutches, with three (3) rabbits, with feeders clumped food that prevented the free flow of food. The condition of the feeders made it so that no food was available to the rabbits.

**Date of Alleged Violation: March 28, 2018, July 9, 2018**



**9 C.F.R. § 3.55** Watering. Sufficient potable water shall be provided daily except as might otherwise be required to provide adequate veterinary care.

You failed to provide sufficient and potable water to rabbits as required.

APHIS officials observed water bottles that were empty and dry. When provided fresh water, rabbits drank continuously for approximately for ten minutes. (March 28, 2018)

APHIS officials observed water bottles in the rabbit enclosure that contained green slime that had grown inside the water bottles. The rabbits had no potable water. (July 9, 2018)

**Date of Alleged Violation: March 28, 2018, July 9, 2018**

**9 C.F.R. § 3.56(a)(1)** Sanitation. (a) Cleaning of primary enclosures. (1) Primary enclosures shall be kept reasonably free of excreta, hair, cobwebs and other debris by periodic cleaning. Measures shall be taken to prevent the wetting of rabbits in such enclosures if a washing process is used.

You failed adequately clean and sanitize primary enclosures for rabbits.

APHIS officials observed three rabbit hutches, that contained 6 (six) rabbits, with no food in the feeders. Two hutches, that contained 3 (three) rabbits, with clumped food in the feeders that prevented the free-flow of food such that no food was available to the rabbits. (March 28, 20218)

APHIS officials observed four (4) rabbit enclosures with an excessive amount of fecal material and fur buildup in the bottom of the cage. (July 9, 2018)

**Date of Alleged Violation: March 28, 2018, May 31, 2018, April 23, 2019, July 29, 2019, September 11, 2019**

**9 C.F.R. § 3.125(a)** Facilities, general. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

You failed to provide indoor and outdoor housing facilities that were in good repair and structurally sound to contain and protect the animals housed within from injury as required.

APHIS officials observed or identified the following:



- 1) Broken sections of fencing with pipes detached causing the pipe to protrude into pen that also had loose, unsecure, fence posts. (March 28, 2018)
- 2) A one-year-old camel was found dead with its head and neck wrapped around a fence post into the adjoining pen and its feet and legs were tangled in the fence rails. The animal died as a result of its injuries. (May 31, 2018)
- 3) Several areas of fencing around the fallow deer, camelids, and yak enclosures were damaged and in disrepair. (April 23, 2019)
- 4) Fencing around the enclosure area for the juvenile camel, llama/alpaca, adult camel, and guanaco with several areas that were damaged. (July 29, 2019)
- 5) Animal enclosures with sharp points and wires protruding, including the fence line and siding on the shelter in the male sheep/goat pen, feeder panels along the south side of feeding area of the adult yak pen, the cattle pen, and a broken feeder in the alpaca pen. (September 11, 2019)

**Date of Alleged Violation: March 28, 2018**

**9 C.F.R. § 3.130** Watering. If potable water is not accessible to the animals at all times, it must be provided as often as necessary for the health and comfort of the animal. Frequency of watering shall consider age, species, condition, size, and type of the animal. All water receptacles shall be kept clean and sanitary.

You failed to provide potable water to all animals as required. APHIS officials observed unclean water receptacles with large amounts of green slime along the sides and bottom of the tubs.

**Date of Alleged Violation: March 28, 2018, December 13, 2018**

**9 C.F.R. § 3.131(c)** Sanitation. Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this subpart. Accumulations of trash shall be placed in designated areas and cleared as necessary to protect the health of the animals.

You failed to keep your premises and primary enclosures clean and free of debris and discarded items as required.

APHIS officials observed pieces of poly baler twine and poly fabric from grain sacks in primary enclosures that were accessible by



animals to ingest. (March 28, 2018)

APHIS officials observed large amounts of debris, including animal cages and crates, that were being stored next to a female pig enclosure. Fencing separating the pig from the storage area had been knocked down allowing the animal to escape from the pen. (December 13, 2018)

**Date of Alleged Violation: September 17, 2018**

**9 C.F.R. § 2.131(b)(1)** Handling of animals. Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

You failed to handle animals in a manner that does not cause trauma, physical harm, and unnecessary discomfort.

You communicated to APHIS officials that, on September 13, 2018, due to a failed locking mechanism, a young female zebra fell out of a trailer that was in motion. The animal was dragged along the road until the trailer could be stopped resulting in severe injuries to the animal. The animal suffered extensive scrapes that resulted in extensive skin slough and damage to the underlying muscle and tissue. Ultimately, on September 26, 2018, the animal was euthanized.

The penalty for the alleged violations described above is \$2,025.