

**OFFICIAL WARNING**



**VIOLATION OF FEDERAL REGULATIONS**

CASE NO.

CT11004 / GA08046 / GA09050 / GA09084 /  
GA10018 / GA10063 / GA10064 / GA10091 /  
GA11012 / GA11016 / GA11022 / GA11023 /  
GA11034 / MI10130 / NY11318 / RI08001 /  
CA11263 / OR10014 / OR10023 / UT08004 /  
WA09262 / OR07016

VIOLATOR

Customer # 828  
Certificate # 57-T-0001  
Delta Airlines Inc.  
Attn: Brad Mathney

ADDRESS (Street, City, State, Zip Code)

1600 Charles W. Grant Parkway  
Dept. 807, Bldg A  
Atlanta, GA 30354

The Department of Agriculture has evidence that on or about **January 9, 2007 to March 16, 2011** you or your organization committed the following violation of Federal Regulations:

**9 CFR, SECTION**

**Failure to**

3.13(c)

- Deny a dog or cat for transport in commerce unless the consignor certifies in writing to the carrier or intermediate handler that the dog or cat was offered food and water during the 4 hours before delivery.

3.13(f)

- When a primary enclosure containing a dog or cat has arrived at the animal holding area at a terminal facility after transport, the carrier or intermediate handler must attempt to notify the consignee upon arrival.

3.14(a)(1)

- Construct a primary enclosure to contain a dog or cat such as a compartment, transport cage, carton, or crate. Primary enclosures used to transport dogs and cats must be constructed so that: The primary enclosure is strong enough to contain the dogs and cats securely and comfortably and to withstand the normal rigors of transportation.

3.15(d)

- During air transportation, dogs and cats must be held in cargo areas that are heated or cooled as necessary to maintain an ambient temperature and humidity that ensures the health and well-being of the dogs or cats.

3.16(c)

- Have securely attached inside the primary enclosure food and water receptacles so the receptacles can be filled from outside the enclosure without opening the door.

**9 CFR SECTION****Failure to****3.17(b)**

- During air transportation of dogs or cats, it is the responsibility of the carrier to observe the dogs or cats as frequently as circumstances allow. The carrier must determine whether any of the dogs or cats are in obvious physical distress, and arrange for any needed veterinary care as soon as possible.

**3.39(a)**

- Visually observe live guinea pigs or hamsters whenever loaded and unloaded and whenever the animal cargo space is otherwise accessible to assure that they are receiving sufficient air for normal breathing, their ambient temperatures are within the prescribed limits, and to determine whether any live guinea pigs or hamsters are in obvious physical distress.

**3.137(a)(1)**

- Primary enclosures, such as compartments, transport cages, cartons, or crates, used to transport live animals shall be constructed in such a manner that (1) the structural strength of the enclosure shall be sufficient to contain the live animals and to withstand the normal rigors of transportation.

**3.139(c)**

- A sufficient quantity of food and water shall accompany the live animal to provide food and water for such animals for a period of at least 24 hours.

**3.140(a)**

- During surface transportation, it is the responsibility of the driver or other employee to visually observe the live animals as frequently as circumstances may dictate, but not less than once every 4 hours, to assure that they are receiving sufficient air for normal breathing, ambient temperatures within prescribed limits, all other applicable standards are being complied with and to determine whether any of the live animals are in obvious physical distress and to provide any needed veterinary care as soon as possible.

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS Official.

APHIS OFFICIAL (Name and Title)

**Chester A. Ginner, DVM Deputy Administrator, AC**DATE ISSUED  
January 19, 2012

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

FOR CERTIFIED MAIL - RECEIPT NO:

**7011 1150 0002 0712 1757**

APHIS FORM 7060

(JUN 91)

**PART 1 - VIOLATOR**

Previous editions may be used

OFFICE ADDRESS:

**4700 River Road, Riverdale, MD 20737****TELEPHONE NO. AC (301) 734-4980**

DATE RECEIVED: