



United States Department of Agriculture
Animal and Plant Health Inspection Service
Investigative and Enforcement Services

Reference Number: TN08061 AC
Issuance Date: April 12, 2012
Version: Final

VIA: USPS Certified Mail
Shipping Event: 1st

April 12, 2012

Wilson Horse and Mule Sale, Inc.
150 Clay Wilson Rd.
Sparta, TN 38583

Twila R. Wilson
1050 West Cemetery Rd.
Cookeville, TN 38506-6649

OFFICIAL WARNING

Re: Reference number TN08061 AC

Dear Sir or Madam:

Why You Are Receiving This Letter

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described in the attached Official Warning. Our agency, the Animal and Plant Health Inspection Service (APHIS), is responsible for enforcing the AWA, 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 impose civil penalties of up to \$10,000, or other sanctions, for each violation described in this Official Warning. Although we generally pursue penalties for this type of violation(s), we have decided not to pursue penalties in this instance so long as you comply, in the future, with laws that APHIS enforces.

Consequences Of Continuing Non-Compliance

If you violate laws that APHIS enforces in the future, we may pursue criminal penalties, or we may pursue civil penalties for the violations described in this Official Warning, in addition to any penalties we may pursue for any future violations.

What To Do If You Have Questions

If you have any questions concerning this Official Warning, contact Tyrese Coleman at (301) 851-2758 or call our main office number at (301) 851-2948.

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS

CASE NUMBER:
TN08061 AC

VIOLATOR:
Wilson Horse and Mule Sale, Inc.

ADDRESS (Street, City, State, ZIP Code):
150 Clay Wilson Rd.
Sparta, TN 38583

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: September 8, 2011

9 C.F.R. § 3.87(a)(10) Primary enclosures used to transport nonhuman primates. You failed to use primary enclosures for the transportation of nonhuman primates that were connected or attached and constructed so that the primary enclosure has a solid, leak-proof bottom, or a removable, leak-proof collection tray under a slatted or wire mesh floor that prevents seepage of waste products, such as excreta and body fluids, outside of the enclosure.

You failed to provide adequate transport primary enclosures as demonstrated by:

- 1) Three metal wire enclosures with no solid leak proof bottom or collection tray and no absorbent material in the enclosure, and APHIS officials observed fecal material and food debris accumulated on the table underneath the enclosures;
- 2) An adult rhesus macaque housed in a plastic pet taxi type enclosure with a solid bottom that contained wet absorbent wood chips where the macaque had no option but to sit on the wet chips, and
- 3) A pet type enclosure housing two spider monkeys where APHIS officials observed that the bedding and concrete floor were wet and that the monkeys did not have a dry place to sit within the enclosure.

Date of Violation: September 8, 2011

9 C.F.R. § 3.137(a)(6) Primary enclosures used to transport live animals. You failed to construct primary enclosures, such as compartments, transport cages, cartons, or crates, used to transport live animals in such a manner that provided adequate handholds or other devices for lifting on the exterior of the primary enclosure.

You housed a woodchuck, two pacas, a prehensile tailed porcupine, an artic fox, a cavy, several capybaras, and a coatimundi in enclosures that lacked handholds and/or devices for lifting on the exterior of the enclosure. APHIS officials observed handlers grab through the wire of the enclosures to lift the cages.

Date of Violation: September 8, 2011

9 C.F.R. § 3.137(d) Primary enclosures used to transport live animals as provided in this section shall have solid bottoms to prevent leakage in shipment and still be cleaned and sanitized.

You housed several sloths, kinkajous, four-eyed possums, a woodchuck, pacas, prehensile tailed porcupines, and degus in wire enclosures without solid

bottoms. APHIS officials observed urine soaked into the wood table just under and adjacent to the degus cages.

The Animal and Plant Health Inspection Service (APHIS) created 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 violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name):
Robert J. Huttenlocker

OFFICE ADDRESS:
4700 River Road, Unit 85
Riverdale, MD 20737

APHIS OFFICIAL (Title):
Director, Investigative and Enforcement Services

DATE ISSUED: 4/12/2012	TELEPHONE NUMBER: (301) 851-2948
----------------------------------	--