

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS

CASE NUMBER:

ND09010

VIOLATOR:

Lynn McCulley
Customer #: 25707
Certificate #: 45-A-0106

ADDRESS (Street, City, State, ZIP Code):

7565 9th Avenue South East
Linton, ND 58552

The U.S. Department of Agriculture has evidence that on or about July 6, 2009, May 18, 2009, February 20, 2009, February 19, 2009, and February 18, 2009, you or your organization committed the following violation(s) of Federal Regulations 9 CFR, Section:

2.40 (b)(2) Attending Veterinarian and Adequate Veterinary Care... repeated failure to provide adequate veterinary care that uses the appropriate methods to prevent, control, diagnose, and treat diseases and injuries.

2.126(b) Access and Inspection of Records and Property... repeated failure to make a responsible adult available to accompany APHIS officials during the inspection process.

3.1(f) Housing Facilities, Drainage and Waste Disposal... repeated failure to provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding debris, garbage, water, and other fluids and wastes, and dead animals, in a manner that minimizes contamination and disease risk. Facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal waste are rapidly eliminated and animals stay dry.

3.4(b)(4) Outdoor Housing Facilities... repeated failure to provide clean, dry bedding material when the ambient temperature is below 50 degrees Fahrenheit and additional clean, dry bedding when the temperature is 35 degrees Fahrenheit or lower.

3.10 Watering... DIRECT... repeated failure to provide adequate amounts of water to assure the health and well being of the dogs.

3.11(a) Cleaning of Primary Enclosures... repeated failure to remove excreta and food waste from primary enclosures daily, and from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste.

3.12 Employees... repeated failure to have an adequate number of employees to carry out the level of husbandry and care as required by the Animal Welfare Act.

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):
Chester Gipson, DVM

OFFICE ADDRESS:
4700 River Rd., Suite 6D03
Riverdale, MD 20737

APHIS OFFICIAL (Title):
Deputy Administrator

DATE ISSUED:
January 11, 2012

TELEPHONE NUMBER:
(301) 734-4980

Certified Mail Receipt #: 7009 1680 0000 9908 6074