

OFFICIAL WARNING



VIOLATION OF FEDERAL REGULATIONS

CASE NO.

PA 10049

VIOLATOR

Customer # 38747
Certificate # 23-C-0287
Scott J. Simmons
Simmons Farm Inc.

ADDRESS (Street, City, State, Zip Code)

170 Simmons Road
Mc Murray, PA 15317

The Department of Agriculture has evidence that on or about **July 29, 2010** you or your organization committed the following violation of Federal Regulations:

9 CFR, SECTION

Failure to

3.125 (a)

- Construct facility of such material and of such strength as appropriate for the animals involved. 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.

(There is a set of play steps that has the lowest step sagging into the lower level leaving one corner open and below the level of the step.)

3.129 (b)

- To have food and food receptacles, if used, sufficient in quantity and located so as to be accessible to all animals in the enclosure and placed to minimize contamination. They shall be kept clean and sanitary at all times. If self-feeders are used, adequate measure shall be taken to prevent molding, contamination, and deterioration of caking of food.

(The sheep and goats are being fed directly on the ground in the shed, which is extremely dirty.)

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)

Elizabeth Goldentyer, DVM

Regional Director

SIGNATURE

Elizabeth Goldentyer

DATE ISSUED

8/17/10

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

OFFICE ADDRESS:

920 Main Campus Dr., Suite 200

Raleigh, NC 27606

TELEPHONE NO. AC (919) 855-7100

DATE RECEIVED:

SEP 13 2010

FOR CERTIFIED MAIL - RECEIPT NO:

7007 0710 0000 9577 6462