

OFFICIAL WARNING



VIOLATION OF FEDERAL REGULATIONS

CASE NO.

IN 120012

VIOLATOR

Customer # 21889
Certificate # 32-C-0179
James Stapp
Stapp Circle S Ranch Inc.

ADDRESS (Street, City, State, Zip Code)

4858 East State Road 46
Greensburg, IN 47240

The Department of Agriculture has evidence that on or about **January 5, 2012 - November 29, 2011** 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.

(**Fence surrounding the camel has been pushed down by the camel and lowered to a point that it will not contain the animal.

**Attempts to prop the fence with extra panels have also been pushed down by the camel.

**Buffalo east of the main barn are shorting out an electric fence by reaching over the fence causing it to touch another fence.

**The fence containing 16 fallow deer has boards that have come loose and ripped netting behind the fence causing gaps.)

3.127 (b)

- Provide natural or artificial shelter for all animals kept outdoors to protect and prevent discomfort from inclement weather.

(**Two buffalo east of the barn do not have adequate shelters in place for the weather.

**Existing shelters may not be large enough for the number of animals to comfortably lay down out of the elements.)

3.127 (c)

- Provide a suitable method to rapidly eliminate excess water from outdoor facilities, complying with applicable federal, state and local laws and regulations relating to pollution control or the protection of the environment.

(**Sixteen fallow deer, 3 elk and 2 water buffalo enclosures are experiencing drainage issues.

**50-60% of enclosure pastures are mud.

**Several animals were observed slipping in the mud.)

9 CFR, SECTION**Failure to****3.131 (c)**

- **Keep buildings and grounds clean and in good repair to protect animals from injury and facilitate husbandry practices.**

(The licensee is storing a hay elevator in a pasture containing 2 buffalo.)

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

DATE ISSUED

2/24/12

OFFICE ADDRESS:

920 Main Campus Dr., Suite 200

Raleigh, NC 27606

TELEPHONE NO. AC (919) 855-7100

DATE RECEIVED:

FOR PERSONAL SERVICE RECEIVED BY: (Name and signature)

FOR CERTIFIED MAIL - RECEIPT NO:

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APHIS FORM 7060

Previous editions may be used

(JUN 91)

PART 1 - VIOLATOR