



VIA: USPS Certified Mail  
Shipping Event: 1st

April 26, 2012

Andy E. Yoder  
2658 Township Road 110  
Millersburg, OH 44654

## **OFFICIAL WARNING**

Re: Reference number OH09047-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 Kelly Briscoe at (301) 851-2755 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:  
OH09047-AC

VIOLATOR:  
Andy E. Yoder

ADDRESS (Street, City, State, ZIP Code):  
2658 Township Road 110  
Millersburg, OH 44654

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: December 8, 2008**

**9 C.F.R. § 2.126** Access and inspection of records and property.

You failed to have a representative available to allow APHIS officials to enter your place of business.

**Date of Violation: December 11, 2008**

**9 C.F.R. § 3.6(a)(2)(ix)** Primary enclosures.

You failed to replace multiple whelping boxes with excessive damage from chewing.

**Date of Violation: December 11, 2008**

**9 C.F.R. § 3.11(b)(2)** Cleaning, sanitization, housekeeping, and pest control.

You failed to clean dog doors which had a buildup of organic material on them.

**Date of Violation: February 11, 2009**

**9 C.F.R. § 2.40(b)(2)** Attending veterinarian and adequate veterinary care (dealers and exhibitors).

You failed to prevent and treat 2 dogs with matted fur; and provide veterinary care for 1 Bassett hound with excessively long rear nails.

**Date of Violation: February 11, 2009**

**9 C.F.R. § 3.6(a)(2)(ix)** Primary enclosures.

You failed to replace 1 self-feeder and whelping boxes which contained excessive chew damage.

**Date of Violation: February 11, 2009**

**9 C.F.R. § 3.11(b)(2)** Cleaning, sanitization, housekeeping, and pest control.

You failed to clean 5 dog doors and 4 whelping boxes that had a buildup of organic material.

**Date of Violation: June 9, 2009**

**9 C.F.R. § 3.6(a)(2)(ix) Primary enclosures.**

You failed to replace 2 water bowls that contained excessive chew marks and organic material.

**Date of Violation: June 9, 2009**

**9 C.F.R. § 3.11(b)(2) Cleaning, sanitization, housekeeping, and pest control.**

You failed to clean dog doors that have a light buildup of organic materials around the frames.

**Date of Violation: September 30, 2009**

**9 C.F.R. § 2.126 Access and inspection of records and property.**

You failed to have a representative available to allow APHIS officials to enter your place of business.

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

<b>DATE ISSUED:</b> 4/26/2012	<b>TELEPHONE NUMBER:</b> (301) 851-2948
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