

OFFICIAL WARNING



VIOLATION OF FEDERAL REGULATIONS

CASE NO.

IN 10017

VIOLATOR

Customer # 31084
Certificate # 32-A-0298
Elam Fisher
Morgan Creek Kennel

ADDRESS (Street, City, State, Zip Code)

5905 Morgan Creek Road
Williamsburg, IN 47393

The Department of Agriculture has evidence that on or about **September 9, 2010 - January 27, 2010** you or your organization committed the following violation of Federal Regulations:

9 CFR, SECTION

Failure to

2.40 (b)(1)

- Establish and maintain adequate veterinary care programs that include availability of appropriate facilities, personnel, equipment, and services.

(Medicines were expired - Cal-Pho-Sol expired May 2008 and Oxytocin expired February 2010.)

2.40(b)(3)

- Establish and maintain programs of adequate veterinary care that includes daily observation of all animals to assess their health and well-being.

(Numerous dogs have extremely long toenails. USDA dog tag number Y6 has sores on both sides of its tail, long toenails and extreme tartar buildup. USDA dog tag number S6 in the whelping room has an approximate 1 cm bulbous swelling of tissue protruding from the nasal side of the right eye. USDA dog tag number Q10 in the adult room was observed to have a lame right rear limb. The rear limbs and perianal area contain multifocal areas of matted hair with excreta. The metatarsal portion of the right rear limb is swollen, covered circumferentially with multiple 0.5 cm areas of ulceration, and virtually devoid of hair around the circumference of the limb.)

2.75 (a)(1)

- Make, keep and maintain records or forms which fully disclose information concerning animals other than dogs and cats, purchased or otherwise acquired, owned, held, leased, or otherwise in his or her possession or under his or her control, or which is transported, sold, euthanized, or otherwise disposed. The records shall include any offspring born of any animal while in his or her possession or under his or her control.

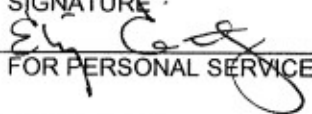
(Review of Form 7006, Record of Disposition of Dogs and Cats, does not list an individual number for several animals sold. Several forms do not include the date the animal was born or date sale was processed.)

3.1 (a)

- Construct housing facilities for dogs and cats so that they are structurally sound, maintained in good repair, protects animals from injury, contains animals securely and restricts other animals from entering.

(Several enclosures in the adult housing room have open sections in the side walls big enough for some of the smaller dogs to fit through. Enclosures supports in the adult housing room remain rusty. Several primary enclosures are rusty where the coating has chipped off the wire on the doorways and sides of the pens.)

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.

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| APHIS OFFICIAL (Name and Title) Elizabeth Goldentyer, DVM | | Regional Director | OFFICE ADDRESS: 920 Main Campus Dr., Suite 200 Raleigh, NC 27606 TELEPHONE NO. AC (919) 855-7100 |
| SIGNATURE  | DATE ISSUED 9/27/10 | | DATE RECEIVED: |
| FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature) | | | |

FOR CERTIFIED MAIL - RECEIPT NO:
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