

**OFFICIAL WARNING**



**VIOLATION OF FEDERAL REGULATIONS**

CASE NO.

**MN 12028**

VIOLATOR

**Customer # 35095  
Certificate # 41-A-0443  
LeRoy D. Yoder**

ADDRESS (Street, City, State, Zip Code)

**27768 Cemetery Road  
Utica, MN 55979**

The Department of Agriculture has evidence that on or about **December 5, 2011 - September 15, 2011** you or your organization committed the following violation of Federal Regulations:

**9 CFR, SECTION**

**Failure to**

**2.40 (b)(2)**

- Establish and maintain adequate veterinary care that includes the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

(\*\*On December 5, 2011 expired medications of Metronidazole, exp. 07/2011 and Doxycycline, exp. 07/2011 were discovered.

\*\*On September 15, 2011 expired medication of Canine Distemper-Adenovirus Type-2 Parainfluenza Parvovirus, exp. 01/2011 was discovered.

\*\*USDA tag# 33, 198 and 127 have an accumulation of tooth loss, swelling, redness of gums and large buildup of brownish material covering teeth.

\*\*USDA tag# 198, 182 and one young brown retriever with no USDA tag were observed to be thin visually and to the touch.

\*\*USDA tag# 198 has heavy buildup of black crust on the eyes.

\*\*USDA tag# 182 has moist brown buildup in the ears and noticeable shaking of the head.

\*\*USDA tag# 33, 127, 44 and 21 have overly excessive matting.

\*\*USDA tag# 44 has hair loss because of excessing matting.

\*\*USDA tag# 127 has limited vision because of excessing matting.

\*\*USDA tag# 33 has noticeable pulling of the flesh.

\*\*USDA tag# 33, 107, 127 and 44 have overly excessive nail growth.)

9 CFR, SECTION

Failure to

2.75 (a)(1)(vii)(D)

- (a)(1) Keep and maintain records or forms which fully and correctly disclose the following information concerning each dog or cat purchased or otherwise acquired, owned, held, or otherwise in his or her possession or under his or her control, or which transported, euthanized, sold, or otherwise disposed of by that dealer or exhibitor. The records shall include any offspring born of any animal while in his or her possession or under his or her control. (vii) A description of each dog or cat which shall include: (D) The color and any distinctive markings.

(The licensee did not fill out Part 5-G description of animal sold on one form 7006. On two other 7006's more than one litter of dogs sold, only one litter annotated.)

3.3

- Make all walls, boxes, houses, dens and other surfaces in contact with animals impervious to moisture.

(Frames are worn and chewed and no longer impervious to moisture in the converted barn where the larger animals are kept.

3.6 (a)(2)

- Construct and maintain primary enclosures so they have no sharp points or edges that could injure dogs.

(\*\*There is a large break in the wire fence whelping area of the converted barn. Sharp wire points and edges were pointing toward the inside of the enclosure.

\*\*Sharp wire points were sticking out under the enclosure doors in several enclosures of the 2<sup>nd</sup> floor puppy area.)

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) <b>Elizabeth Goldentyer, DVM</b>		OFFICE ADDRESS: 920 Main Campus Dr., Suite 200 Raleigh, NC 27606 TELEPHONE NO. AC (919) 855-7100
SIGNATURE 	DATE ISSUED 2/21/12	DATE RECEIVED:
FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature) 		

FOR CERTIFIED MAIL - RECEIPT NO:  
7009 1680 0000 9534 6066