

**OFFICIAL WARNING**



**VIOLATION OF FEDERAL REGULATIONS**

CASE NO.

**NY11153**

VIOLATOR

**Customer # 33549**

**Certificate # 21-A-0112( c )**

**Nathan Burkholder**

ADDRESS (Street, City, State, Zip Code)

**2382 Hazard Road**

**Penn Yan, NY 14527**

The Department of Agriculture has evidence that on or about **December 6, 2010** 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.

(The mini fridge used to store vaccinations was dirty with evidence of mold along the seal of the fridge.)

**2.40 (b)(3)**

- Conduct daily observation of all animals to assess their health and well-being.

(\*\*A female Boston, tag# 178, had what appeared to be a protrusion of tissue from the vaginal opening.

\*\*The dog was moving in a manner that indicated discomfort and in heat.)

**3.1 (c)(1)(ii)**

- Construct surfaces of housing facilities, including houses, dens and other furniture-type fixtures and objects within the facility of materials that allow them to be readily cleaned and sanitized, removed or replaced when worn or soiled. Interior surfaces that come in contact with dogs or cats must be free of jagged edges or sharp points that might injure the animals.

(One of the large breed dog outdoor shelter structures has a small section of metal in disrepair, turned upwards and creating sharp edges that could be a safety hazard to the dogs.)

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)

**Deputy Administrator, AC**

DATE ISSUED **JAN 10 2012**

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

OFFICE ADDRESS:

**4700 River Road, Riverdale, MD 20737**

**TELEPHONE NO. AC (301) 734-4980**

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:

**7011 1150 0002 0712 1429**