

**OFFICIAL WARNING**



**VIOLATION OF FEDERAL REGULATIONS**

CASE NO.

**OH09092**

VIOLATOR

**Customer # 30144**

**Certificate # 31-A-0198**

**Owen Yoder**

ADDRESS (Street, City, State, Zip Code)

**2235 TR 151**

**Millersburg, OH 44654**

The Department of Agriculture has evidence that on or about **August 29, 2011 - February 3, 2011 - November 1, 2010 - July 19, 2010 - March 23, 2010 - February 02, 2010** you or your organization committed the following violation of Federal Regulations:

**9 CFR, SECTION**

**Failure to**

**2.40 (a)(2)**

- **Assure that the attending veterinarian has appropriate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use.**

**(None of licensees dogs have been evaluated as directed by the attending veterinarian. Ivermectin is not being used to control blood parasites as directed by the attending veterinarian.)**

**240 (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.**

**(Dog tag# 59, 069, 112, 119, 150, 163, 193, 227, 233, 240, 258 and 321 have excessively long nails. Dog tag# 224 have matted fur. Dog tag# 112 limping on right rear foot. Dog tag# 262 has soft mass between left front toes. Dog tag# 231 has brown material adhered to teeth, increased red swollen gums receding away from teeth in several locations. Diarrhea is present on the washdown under the fifth enclosure in the adult kennel.)**

**2.40 (b)(3)**

- **Establish and maintain programs of adequate veterinary care to include daily observations and frequent communication with the attending veterinarian to convey information on problems of animal health, behavior, and well-being.**

**(Dog tag# 150 limping on right rear leg. Dog tag# 321 has untreated clipper wound on left knee. Dog tag# 115 has a flap of skin hanging from a severe clipper ear injury. Dog tag# 140 constantly scratching left ear due to heavy accumulation of brown material in ear canal and scabbing on the outside. Dog tag# 231 has swelling between both front and rear right toes. Dog tag# 203 has heavy accumulation of brown material in ears. Gums are inflamed with tarter causing further irritation. Dog tag# 206 has a healing laceration approximately 1 inch in length on its left side.**

**9 CFR, SECTION****Failure to**

**2.40 (b)(3)**  
**(continued)**

(Dog tag# 179 has moist pustules between toes of the front left and right rear feet, irritation on the underside of the neck, and many scuffs and abrasions on its body. Dog tag# 225 has excessive accumulation on teeth and red inflamed gums. Dog tag# 101 has excessive accumulation of calculi on teeth and red inflamed gums.)

**2.126 (a)(b)**

- (a) During business hours, allow APHIS officials to enter place of business, examine required records, make copies of records, inspect and photograph facilities, property and animals, and document conditions and areas of noncompliance. (b) Have a responsible adult available to accompany APHIS officials during the inspection process, and a room, table or other facilities for examination of records and inspection of property or animals for use by APHIS officials if necessary.

(On February 2, 2010 and November 1, 2010 a responsible adult was not available to accompany the inspector for an animal welfare inspection.)

**3.6 (a)(1)**

- Design and construct primary enclosure of suitable materials so they are structurally sound and kept in good repair.

(Many areas of the old bank of enclosures have broken wire.)

**3.6 (a)(2)(x)**

- Primary enclosures for dogs and cats must meet the following minimum requirements: (2) Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound and kept in good repair. (x) Have floors that are constructed in a manner that protects the dogs and cats feet and legs from injury, and that, if of mesh or slatted construction, do not allow the dogs and cats feet to pass through any openings in the floor.

(Several litters of puppies with female dog tag# 171, 189, 185, 128 and 224 had feet passing thru the one inch by one inch wire mesh flooring.)

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

8/10/12

OFFICE ADDRESS:

**920 Main Campus Dr., Suite 200  
Raleigh, NC 27606**

**TELEPHONE NO. AC (919) 855-7100**

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

DATE RECEIVED:

FOR CERTIFIED MAIL - RECEIPT NO:

**7011 1150 0002 0711 7316**