



UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

USDA
OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION

CASE NUMBER:
CA170104-AC

ALLEGED VIOLATOR:
Stanford University

ADDRESS (City, State, ZIP Code):
Palo Alto, California
94306

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following alleged violation(s) of Federal laws:

Date of Alleged Violation: April 28, 2016

9 C.F.R. § 2.38(f)(1) Miscellaneous. Handling:

Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

Stanford University failed to ensure the appropriate handling of a non-human primate (NHP) that would prevent trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort. During a procedure, a heating lamp was used to illuminate the animal's head. Erroneous use of the heating lamp caused a significant thermal injury to the animal's face around the left eye and ear and were classified as second degree burns.



The Animal and Plant Health Inspection Service (APHIS) published 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 alleged violation(s) described above. This Official Warning is not to be construed as a final agency action, or as an adjudicated finding of a violation. If APHIS obtains evidence of any future violation of these federal regulations, APHIS may pursue civil penalties, criminal prosecution, or other sanctions for this alleged violation(s) and for any future violation(s). If you have any questions concerning this Official Warning or alleged violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name): Steven M. Bennett	OFFICE ADDRESS: 4700 River Road, Unit 85 Riverdale, MD 20737	
APHIS OFFICIAL (Title): Director, Investigative and Enforcement Services	DATE ISSUED: 11/22/2017	TELEPHONE NUMBER: (301) 851-2948

APHIS FORM 7060

Previous editions may be used

Rev. 9-13-16



**OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION**

CASE NUMBER:

FL180014

VIOULATOR:

Florida State University

Customer# 873

License# 58-R-0001

ADDRESS (City, State):

Tallahassee, FL

The Animal and Plant Health Inspection Service (APHIS) has evidence that on or about June 20, 2017, you failed to comply with the regulations issued under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (AWA), as documented in the attached inspection report.

APHIS published 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 animals and the public interest, APHIS is providing you with this Official Warning. This Official Warning is not to be construed as a final agency action or an adjudicated finding of a violation. If APHIS obtains evidence of any violation of these Federal regulations in the future, APHIS may pursue civil penalties and other sanctions for these alleged violations and for any future violations. If you have any questions concerning this Official Warning, please contact the APHIS office telephone number listed in this notice.

APHIS OFFICIAL (*Name*):

Gerald Rushin

OFFICE ADDRESS:

4700 River Road
Riverdale, MD 30737

APHIS OFFICIAL (*TITLE*):

Assistant Deputy Administrator
Animal Care

DATE ISSUED:

November 1, 2017

TELEPHONE NO:

970-494-7478

CERTIFIED MAIL RECEIPT NO:

7017 0530 0000 3207 5422

**OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION**

CASE NUMBER:

VIOULATOR:
(b) (6), (b) (7)(C)

Customer
License#

ADDRESS (City, State):
(b) (6), (b) (7)(C)

The Animal and Plant Health Inspection Service (APHIS) has evidence that on or about (b) (6), (b) (7)(C) 2017, you failed to comply with the regulations issued under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (AWA), as documented in the attached inspection report(s).

APHIS published 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 animals and the public interest, APHIS is providing you with this Official Warning. This Official Warning is not to be construed as a final agency action or an adjudicated finding of a violation. If APHIS obtains evidence of any violation of these Federal regulations in the future, APHIS may pursue civil penalties and other sanctions for these alleged violations and for any future violations. If you have any questions concerning this Official Warning, please contact the APHIS office telephone number listed in this notice.

APHIS OFFICIAL (<i>Name</i>): Gerald Rushin	OFFICE ADDRESS: 4700 River Road Riverdale, MD 30737	
APHIS OFFICIAL (<i>TITLE</i>): Assistant Deputy Administrator Animal Care	DATE ISSUED: November 2, 2017	TELEPHONE NO: 970-494-7478
CERTIFIED MAIL RECEIPT NO: (b) (6), (b) (7)(C)		

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

USDA
**OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION**

CASE NUMBER:

(b) (6), (b) (7)(C)

VIOLATOR:

(b) (6), (b) (7)(C)

Customer [b] (6), (b) (7)(C)

License# [b] (6), (b) (7)(C)

ADDRESS (City, State):

(b) (6), (b) (7)(C)

The Animal and Plant Health Inspection Service (APHIS) has evidence that on or about [b] (6), (b) (7)(C) 2017 and May 16, 2017, you failed to comply with the regulations issued under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (AWA), as documented in the attached inspection report(s).

APHIS published 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 animals and the public interest, APHIS is providing you with this Official Warning. This Official Warning is not to be construed as a final agency action or an adjudicated finding of a violation. If APHIS obtains evidence of any violation of these Federal regulations in the future, APHIS may pursue civil penalties and other sanctions for these alleged violations and for any future violations. If you have any questions concerning this Official Warning, please contact the APHIS office telephone number listed in this notice.

APHIS OFFICIAL (Name):
Gerald Rushin

OFFICE ADDRESS:
4700 River Road
Riverdale, MD 30737

APHIS OFFICIAL (TITLE):
Assistant Deputy Administrator
Animal Care

DATE ISSUED: Nov. 14, 2017 TELEPHONE NO: (970) 494-7478

CERTIFIED MAIL RECEIPT NO:
(b) (6), (b) (7)(C)

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICECASE NUMBER:
(b) (6), (b) (7)(C)ALLEGED VIOLATOR:
(b) (6), (b) (7)(C)ADDRESS (City, State, ZIP Code):
(b) (6), (b) (7)(C)

USDA OFFICIAL WARNING NOTICE OF ALLEGED VIOLATION

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following alleged violation(s) of Federal laws:

(b) (6), (b)
(7)(C)**Date of Alleged Violation:** [REDACTED], 2013

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinarian care (dealers and exhibitors). (b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: (2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend and holiday care.

You failed to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries at your facility. A red female bloodhound, ID # [REDACTED], had a growth on top of her head about one inch in diameter. The growth was hairless and rough with a small amount of dried blood and pink tissue along the base of the back side.

Date of Alleged Violation: [REDACTED], 2014

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinarian care (dealers and exhibitors). (b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: (2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend and holiday care.

You failed to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries at your facility. A female Wheaton terrier, ID # [REDACTED], had matted hair on her legs, back, and rear end.

Date of Alleged Violation: [REDACTED], 2014Reference Number: [REDACTED]
(b) (6), (b) (7)
[REDACTED]Issuance Date: November 28,
2017
Version: Final

9 C.F.R. § 3.4(b)(4) Outdoor housing facilities. (b) Shelters in outdoor facilities for dogs or cats must contain a roof, four sides, and a floor, and must: (4) Contain clean, dry, bedding material if the ambient temperature is below 50 °F (17 °C) or lower.

You failed to ensure the shelters in the outdoor facilities contained clean, dry, bedding material if the ambient temperature is below 50 °F or lower. An outdoor enclosure housing at least 43 dogs contained insufficient bedding. The temperature at the time of the inspection measured 48.5 °F, and according to historical weather data, the low temperature for the last 24 hours in the area was 28 °F.

Date of Alleged Violation: (b) (6), (b) (7)(C) , 2014

9 C.F.R. § 3.6(a)(2)(iii) Primary enclosures. (a) General requirements. (2) Primary enclosures must be constructed and maintained so that they: (iii) contain the dogs and cats securely.

You failed to ensure that primary enclosures were constructed and maintained so that they contained dogs securely. A divider fence between two outdoor enclosures had a hole with exposed wire points protruding into it, and APHIS observed a dog using this hole to pass from one enclosure to another.

Date of Alleged Violation: (b) (6), (b) (7)(C) , 2014

9 C.F.R. § 3.9(a) Feeding. (a) Dogs and cats must be fed at least once each day, except as otherwise might be required to provide adequate veterinary care. The food must be uncontaminated, wholesome, palatable, and of sufficient quantity and nutritive value to maintain the normal condition and weight of the animal.

You failed to provide dogs with uncontaminated, wholesome, and palatable food. You placed food on the floor of the whelping boxes for puppies in three enclosures of the large breed whelping building. APHIS observed feces mixed with food in at least one of the whelping boxes and witnessed a puppy urinating near the food in another.

Date of Alleged Violation: (b) (6), (b) (7)(C) , 2014

9 C.F.R. § 3.11(a) Cleaning, sanitization, housekeeping, and pest control. (a) Cleaning of primary enclosures. Excreta and food waste must be removed from primary enclosures daily, and from under primary enclosures as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the dogs or cats contained in the primary enclosures, and to reduce disease hazards, insects, pests and odors.

You failed to remove excessive accumulation of feces from four enclosures in the elevated outdoor section of the sheltered facility and six outdoor enclosures.

Date of Alleged Violation: (b) (6), (b) (7)(C) 2014

9 C.F.R. § 2.126(b) Access and inspection of records and property. (b) The use of a room, table, or other facilities necessary for the proper examination of the records and inspection of the property or animals must be extended to APHIS officials by the dealer, exhibitor, intermediate handler or carrier, and a responsible adult shall be made available to accompany APHIS officials during the inspection process.

You failed to have a responsible adult available to accompany APHIS officials during an inspection.

Date of Alleged Violation: (b) (6), (b) (7) 2014

9 C.F.R. § 2.126(b) Access and inspection of records and property. (b) The use of a room, table, or other facilities necessary for the proper examination of the records and inspection of the property or animals must be extended to APHIS officials by the dealer, exhibitor, intermediate handler or carrier, and a responsible adult shall be made available to accompany APHIS officials during the inspection process.

You failed to have a responsible adult available to accompany APHIS officials during an inspection.

Date of Alleged Violation: (b) (6), (b) (7)(C) 2014

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinarian care (dealers and exhibitors). (b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: (2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend and holiday care.

You failed to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries at your facility. You used Cyonara Plus, a fly repellent labeled for use with cattle, on dogs in the facility for fly control. You also had a bottle of liquid neomycin in the large whelping building. There were no directions and approval for use on dogs from a licensed veterinarian for either of these medications.

Date of Alleged Violation: (b) (6), (b) (7)(C) 2014

9 C.F.R. § 3.1(a) Structure; construction. Housing facilities for dogs and cats must be designed and constructed so that they are structurally sound. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.



You failed to ensure that housing facilities were designed and constructed so that they were structurally sound and kept in good repair to protect the animals from injury and contain the animals. You failed to keep the following facilities in good repair:

- 1) Outdoor enclosure in the large dog whelping building with a deep hole dug in the ground, resulting in a gap between the fence and the ground.
- 2) Outdoor enclosure housing four dogs on the northwest side of the facility with a deep hole dug in the ground, creating a small cave-like hole.
- 3) Two enclosures housing Australian shepherds with cattle panels attached to chain link fence as a patch. Panels were loose and created a gap between the panel and the fence.

Date of Alleged Violation: (b) (6), (b) (7) (C), 2015

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinarian care (dealers and exhibitors). (b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: (2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend and holiday care.

You failed to establish and maintain programs of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries at your facility. An adult female Shih Tzu, with chip #(b) (6), (b) (7)(C), had reportedly been in a fight with another dog. Skin on its right rear leg was red and wet with discharge. You treated the dog with antibiotics, but did not seek veterinarian care.

Date of Alleged Violation: (b) (6), (b) (7) (C), 2015

9 C.F.R. § 3.1(a) Structure; construction. Housing facilities for dogs and cats must be designed and constructed so that they are structurally sound. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

You failed to ensure that housing facilities were designed and constructed so that they were structurally sound and kept in good repair to protect the animals from injury and contain the animals. Two enclosures had sharp wire points that turned inward into the enclosures, and a heating pad in an enclosure in the whelping building had an electrical cord with a protective metal spring casing that was bent and distorted.



The Animal and Plant Health Inspection Service (APHIS) published 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 alleged violation(s) described above. This Official Warning is not to be construed as a final agency action, or as an adjudicated finding of a violation. If APHIS obtains evidence of any future violation of these federal regulations, APHIS may pursue civil penalties, criminal prosecution, or other sanctions for this alleged violation(s) and for any future violation(s). If you have any questions concerning this Official Warning or alleged violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name): Steven M. Bennett	OFFICE ADDRESS: 4700 River Road, Unit 85 Riverdale, MD 20737	
APHIS OFFICIAL (Title): Director, Investigative and Enforcement Services	DATE ISSUED: 11/28/2017	TELEPHONE NUMBER: (301) 851-2948

APHIS FORM 7060

Previous editions may be used

Rev. 9-13-16

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

**OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION**

CASE NUMBER:
(b) (6), (b) (7)(C)

VIOULATOR:
(b) (6), (b) (7)(C)

Customer
License# (b) (6), (b) (7)(C)

ADDRESS (City, State):
(b) (6), (b) (7)(C)

The Animal and Plant Health Inspection Service (APHIS) has evidence that on or about [REDACTED] (b) (6), (b) (7)(C) 2017, you failed to comply with the regulations issued under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (AWA), as documented in the attached inspection report.

APHIS published 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 animals and the public interest, APHIS is providing you with this Official Warning. This Official Warning is not to be construed as a final agency action or an adjudicated finding of a violation. If APHIS obtains evidence of any violation of these Federal regulations in the future, APHIS may pursue civil penalties and other sanctions for these alleged violations and for any future violations. If you have any questions concerning this Official Warning, please contact the APHIS office telephone number listed in this notice.

APHIS OFFICIAL (Name): Gerald Rushin	OFFICE ADDRESS: 4700 River Road Riverdale, MD 30737	
APHIS OFFICIAL (TITLE): Assistant Deputy Administrator Animal Care	DATE ISSUED: Nov. 14, 2017	TELEPHONE NO: (970) 494-7478
CERTIFIED MAIL RECEIPT NO: (b) (6), (b) (7)(C)		



**OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION**

CASE NUMBER:

MA180002

VIOULATOR:

General Hospital Corporation
DBA: Massachusetts General Hospital

Customer# 108

License# 14-R-0014

ADDRESS (City, State):

Charlestown, MA

The Animal and Plant Health Inspection Service (APHIS) has evidence that on or about June 19, 2017, you failed to comply with the regulations issued under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (AWA), as documented in the attached inspection report.

APHIS published 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 animals and the public interest, APHIS is providing you with this Official Warning. This Official Warning is not to be construed as a final agency action or an adjudicated finding of a violation. If APHIS obtains evidence of any violation of these Federal regulations in the future, APHIS may pursue civil penalties and other sanctions for these alleged violations and for any future violations. If you have any questions concerning this Official Warning, please contact the APHIS office telephone number listed in this notice.

APHIS OFFICIAL (Name):

Gerald Rushin

OFFICE ADDRESS:

4700 River Road
Riverdale, MD 30737

APHIS OFFICIAL (TITLE):

Assistant Deputy Administrator
Animal Care

DATE ISSUED:

November 1, 2017

TELEPHONE NO:

970-494-7478

CERTIFIED MAIL RECEIPT NO:

7017 0530 0000 3207 5422

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE
**OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION**

CASE NUMBER:

(b) (6), (b) (7)(C)

ALLEGED VIOLATOR:

(b) (6), (b) (7)(C)

ADDRESS (City, State, ZIP Code):

(b) (6), (b) (7)(C)

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following alleged violation(s) of Federal laws:

Date of Alleged Violation: (b) (6), (b) (7)(C), 2012**9 C.F.R. § 2.75(b)(1) Records: Dealers and exhibitors.**

(b)(1) Every dealer other than operators of auction sales and brokers to whom animals are consigned, and exhibitor shall make, keep, and maintain records or forms which fully and correctly disclose the following 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 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.

You failed to make, keep and maintain records that fully reflect an accurate count of animals on hand including: 1 pig, 2 sheep, 2 goats, 11 rabbits, 3 Guinea pigs, 1 ferret, 1 calf, 1 llama, and 1 alpaca. The facility was also unable to demonstrate the disposition of animals previously recorded on the inventory including: 1 calf, 2 white tailed deer, 1 red kangaroo, 1 zebra, 1 llama and 1 alpaca.

Date of Violation: (b) (6), (b) (7)(C), 2012**9 C.F.R. § 3.125(c) Facilities, general.**

(c) Storage. Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against deterioration, molding, or contamination by vermin. Refrigeration shall be provided for supplies of perishable food.

You failed to adequately store food to protect against deterioration, molding, or contamination and to maintain wholesomeness. A large amount of produce, used as bear food, was stored on the ground, partially eaten by feral rabbits.

Reference Number: (b) (6), (b) (7)(C)

Issuance Date: November 14,
2017
Version: Final

Date of Violation: (b) (6), (b) (7)(C) 2013

9 C.F.R. § 3.125(a) Facilities, general.

(a) Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

You failed to construct animal enclosures constructed of such material and of such strength as appropriate for the animals involved. The primary enclosure for a bear cub consists of cattle panels (approximately 4 feet high) tied together. The enclosure includes an electric fence (one strand circling the interior of the enclosure) designed to keep the cub from climbing out of the enclosure, but does not contain a secondary containment measure in the event the hot wire loses access to power.

Date of Violation: (b) (6), (b) (7)(C) 2013

9 C.F.R. § 2.126(b) Access and inspection of records and property.

(b) The use of a room, table, or other facilities necessary for the proper examination of the records and inspection of the property or animals must be extended to APHIS officials by the dealer, exhibitor, intermediate handler or carrier, and a responsible adult shall be made available to accompany APHIS officials during the inspection process.

You failed to provide access and inspection of records and property or to ensure a responsible adult was available to accompany APHIS personnel. Animal Care Inspectors arrived at 11:30am and no one was present to accompany them on an inspection.

Date of Violation: Between (b) (6), (b) (7)(C) , 2013

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as a dealer. You sold a (b) (6), (b) (7)(C) for \$750 at (b) (6), (b) (7)(C) .

Date of Violation: (b) (6), (b) (7)(C) 2013

Reference Number: (b) (6), (b) (7)(C)



Issuance Date: November 14, 2017
Version: Final

**9 C.F.R. § 2.1(a)(1) Requirements and application.**

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name (b) (6), (b) (7)(C) [REDACTED], for Ace Suburban Hardware in (b) (6), (b) (7)(C) [REDACTED].

Date of Violation: (b) (6), (b) (7)(C) [REDACTED], 2014

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as a dealer. You sold a (b) (6), (b) (7)(C) [REDACTED] for \$5,000 at (b) (6), (b) (7)(C) [REDACTED] in (b) (6), (b) (7)(C) [REDACTED].

Date of Violation: (b) (6), (b) (7)(C) [REDACTED], 2014

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals,



animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as a dealer. You sold a (b) (6), (b) (7)(C) for \$1,400 at (b) (6), (b) (7)(C) in (b) (6), (b) (7)(C).

Date of Violation: (b) (6), (b) (7)(C), 2014

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name (b) (6), (b) (7)(C), for the (b) (6), (b) (7)(C) Ace Hardware in (b) (6), (b) (7)(C).

Date of Violation: (b) (6), (b) (7)(C) 2014

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name (b) (6), (b) (7)(C), for the (b) (6), (b) (7)(C) Ace Hardware, (b) (6), (b) (7)(C).

Date of Violation: On or about (b) (6), (b) (7)(C), 2015

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name (b) (6), (b) (7)(C), for the (b) (6), (b) (7)(C) [REDACTED].

Date of Violation: (b) (6), (b) (7)(C), 2015

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name (b) (6), (b) (7)(C), for the (b) (6), (b) (7)(C) Ace Hardware in (b) (6), (b) (7)(C) [REDACTED].

Date of Violation: (b) (6), (b) (7)(C) 2015

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals,



animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name ^{(b) (6), (b) (7)(C)} [REDACTED], for the ^{(b) (6), (b) (7)} [REDACTED] Ace Hardware in ^{(b) (6), (b) (7)(C)} [REDACTED].

Date of Violation: ^{(b) (6), (b) (7)(C)} [REDACTED], 2016

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as a dealer. You sold ^{(b) (6), (b) (7)} [REDACTED] for \$5,100 to ^{(b) (6), (b) (7)(C)} [REDACTED] in ^{(b) (6), (b) (7)} [REDACTED] ^(C) [REDACTED].

Date of Violation: ^{(b) (6), (b) (7)(C)} [REDACTED], 2016

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as a dealer. You sold ^{(b) (6), (b) (7)(C)} [REDACTED] for \$1,000 to ^{(b) (6), (b) (7)(C)} [REDACTED] in ^{(b) (6), (b) (7)(C)} [REDACTED] ^(C) [REDACTED].

Date of Violation: ^{(b) (6), (b) (7)(C)} [REDACTED] 2016

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of

an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as a dealer. You sold [REDACTED] (\$6,300), [REDACTED] (\$5,800), and [REDACTED] (\$8,900) for a total of \$21,000 at [REDACTED] in [REDACTED].

Date of Violation: [REDACTED] **2016**

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name [REDACTED], for the Ace Hardware of [REDACTED] in [REDACTED].

Date of Violation: On or about [REDACTED], **2016**

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.



You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name [REDACTED] (b) (6), (b) (7)(C), for the [REDACTED] (b) (6), (b) (7)(C) in [REDACTED] (b) (6), (b) (7)(C).

Date of Violation: [REDACTED] (b) (6), (b) (7)(C), 2016

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name [REDACTED] (b) (6), (b) (7)(C), for the [REDACTED] (b) (6), (b) (7)(C) in [REDACTED] (b) (6), (b) (7)(C).

Date of Violation: [REDACTED] (b) (6), (b) (7)(C), 2016

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name [REDACTED] (b) (6), (b) (7)(C), for the [REDACTED] (b) (6), (b) (7)(C) in [REDACTED] (b) (6), (b) (7)(C).

Date of Violation: On or about [REDACTED] (b) (6), (b) (7)(C), 2016

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of

an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name (b) (6), (b) (7)(C) [REDACTED], for the (b) (6), (b) (7)(C) [REDACTED] in (b) (6), (b) (7)(C) [REDACTED].

Date of Violation: On or about (b) (6), (b) (7)(C) , 2016

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.

You failed to possess a valid USDA license while conducting regulated business as an exhibitor. You exhibited regulated animals in a petting zoo, under the business name (b) (6), (b) (7)(C) [REDACTED], for the (b) (6), (b) (7)(C) [REDACTED] in (b) (6), (b) (7)(C) [REDACTED].

Date of Violation: (b) (6), (b) (7)(C) 2017

9 C.F.R. § 2.1(a)(1) Requirements and application.

(a)(1) Any person operating or intending to operate as a dealer, exhibitor, or operator of an auction sale, except persons who are exempted from the licensing requirements under paragraph (a)(3) of this section, must have a valid license. A person must be 18 years of age or older to obtain a license. A person seeking a license shall apply on a form which will be furnished by the AC Regional Director in the State in which that person operates or intends to operate. The applicant shall provide the information requested on the application form, including a valid mailing address through which the licensee or applicant can be reached at all times, and a valid premises address where animals, animal facilities, equipment, and records may be inspected for compliance. The applicant shall file the completed application form with the AC Regional Director.



You failed to possess a valid USDA license while conducting regulated business as a dealer. You sold [REDACTED] to [REDACTED],
USDA License [REDACTED].



The Animal and Plant Health Inspection Service (APHIS) published 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 alleged violation(s) described above. This Official Warning is not to be construed as a final agency action, or as an adjudicated finding of a violation. If APHIS obtains evidence of any future violation of these federal regulations, APHIS may pursue civil penalties, criminal prosecution, or other sanctions for this alleged violation(s) and for any future violation(s). If you have any questions concerning this Official Warning or alleged violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name): Steven M. Bennett	OFFICE ADDRESS: 4700 River Road, Unit 85 Riverdale, MD 20737	
APHIS OFFICIAL (Title): Director, Investigative and Enforcement Services	DATE ISSUED: 11/14/2017	TELEPHONE NUMBER: (301) 851-2948

APHIS FORM 7060

Previous editions may be used

Rev. 9-13-16



UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

USDA
OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION

CASE NUMBER:

(b) (6), (b) (7)(C)

ALLEGED VIOLATOR:

(b) (6), (b) (7)(C)

ADDRESS (City, State, ZIP Code):

(b) (6), (b) (7)(C)

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following alleged violation(s) of Federal laws:

Date of Alleged Violation: (b) (6), (b) (7)(C), 2014, (b) (6), (b) (7)(C), 2015, and (b) (6), (b) (7) (C), 2016

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

You failed to provide adequate veterinary care. APHIS officials observed the following:

- 1) One adult Olde English bulldog who had areas of reddened skin and hair loss on her loin, tail, hips, legs and the inside of her lower right hind leg,
- 2) One adult female Boxer who was thin, and whose ribs were easily observed,
- 3) One Boston Terrier whose left eye was tearing and had a thick, white film over it, and a bluish-white opacity to the cornea,
- 4) One female Boston Terrier who had red tissue on the outer edge of the left eye with tearing and the eye had flattened near the center,
- 5) One female Olde English Bulldog who was rubbing its face and ears along the fence. She was squinting and tearing, and the skin around the eye appeared swollen. The inside of both of the dog's ears were dark red, with moderate dark brown discharge, and the ears had a moderate odor.

Date of Violation: (b) (6), (b) (7)(C), 2014

9 C.F.R. § 3.6(a)(2) Primary enclosures. Primary enclosures for dogs and cats must meet the following minimum requirements. General requirements. Primary enclosures must be constructed and maintained so that they protect the dogs and cats from injury.

You failed to construct and maintain enclosures as evidenced by a chain link fence that had a large hole in it.



Date of Alleged Violation: (b) (6), (b) (7)(C), 2016

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

You failed to provide adequate veterinary care. APHIS officials observed the following:

- 1) One Boxer who was very thin with visible ribs and backbone were visible.

Date of Violation: (b) (6), (b) (7)(C), 2016

9 C.F.R. § 2.126(b) Access and inspection of records and property; submission of itineraries. The use of a room, table, or other facilities necessary for the proper examination of the records and inspection of the property or animals must be extended to APHIS officials by the dealer, exhibitor, intermediate handler or carrier, and a responsible adult shall be made available to accompany APHIS officials during the inspection process.

You failed to make a responsible adult available to accompany APHIS officials during the inspection process.



The Animal and Plant Health Inspection Service (APHIS) published 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 alleged violation(s) described above. This Official Warning is not to be construed as a final agency action, or as an adjudicated finding of a violation. If APHIS obtains evidence of any future violation of these federal regulations, APHIS may pursue civil penalties, criminal prosecution, or other sanctions for this alleged violation(s) and for any future violation(s). If you have any questions concerning this Official Warning or alleged violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name): Steven M. Bennett	OFFICE ADDRESS: 4700 River Road, Unit 85 Riverdale, MD 20737	
APHIS OFFICIAL (Title): Director, Investigative and Enforcement Services	DATE ISSUED: 11/8/2017	TELEPHONE NUMBER: (301) 851-2948

APHIS FORM 7060

Previous editions may be used

Rev. 9-13-16

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

CASE NUMBER:

PA180004

VIOLATOR:

Lehigh Valley Zoological Society

Customer# 29359

License# 23-C-0249

ADDRESS (City, State):

Schnecksville, PA

**OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION**

The Animal and Plant Health Inspection Service (APHIS) has evidence that on or about July 6, 2017, you failed to comply with the regulations issued under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (AWA), as documented in the attached inspection report.

APHIS published 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 animals and the public interest, APHIS is providing you with this Official Warning. This Official Warning is not to be construed as a final agency action or an adjudicated finding of a violation. If APHIS obtains evidence of any violation of these Federal regulations in the future, APHIS may pursue civil penalties and other sanctions for these alleged violations and for any future violations. If you have any questions concerning this Official Warning, please contact the APHIS office telephone number listed in this notice.

APHIS OFFICIAL (Name):
Gerald Rushin

OFFICE ADDRESS:
4700 River Road
Riverdale, MD 30737

APHIS OFFICIAL (TITLE):
Assistant Deputy Administrator
Animal Care

DATE ISSUED: Nov. 14, 2017 **TELEPHONE NO:** (970) 494-7478

CERTIFIED MAIL RECEIPT NO:
7017 0530 0000 3207 5491

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

USDA
OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION

CASE NUMBER:

(b) (6), (b) (7)(C)

ALLEGED VIOLATOR:

(b) (6), (b) (7)(C)

ADDRESS (City, State, ZIP Code):

(b) (6), (b) (7)(C)

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following alleged violation(s) of Federal laws:

Date of Alleged Violation: (b) (6), (b) (7)(C) 2014

9 C.F.R. § 3.125(a) Facilities, general. Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

You failed to construct and maintain enclosures such that they protected the animals from injury. A female red kangaroo was attacked and seriously injured by a pet dog, who was able to reach the kangaroo through its primary enclosure fence.

Date of Violation: (b) (6), (b) (7)(C) 2014

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

You failed to provide adequate veterinary care. APHIS officials observed the following:

1) One yearling female red deer who was emaciated, weak and depressed. It had muscle atrophy in both hind legs, and its hooves were overgrown on all four feet, contributing to an abnormal gait and standing posture.

Date of Violation: (b) (6), (b) (7)(C) , 2014

9 C.F.R. § 3.127(d) Facilities, outdoor. Perimeter fence. On or after May 17, 2000, all outdoor housing facilities (i.e., facilities not entirely indoors) must be enclosed by a perimeter fence that is of sufficient height to keep animals and unauthorized persons out. Fences less than 8 feet high for potentially dangerous animals, such as, but not limited

to, large felines (e.g., lions, tigers, leopards, cougars, etc.), bears, wolves, rhinoceros, and elephants, or less than 6 feet high for other animals must be approved in writing by the Administrator. The fence must be constructed so that it protects the animals in the facility by restricting animals and unauthorized persons from going through it or under it and having contact with the animals in the facility, and so that it can function as a secondary containment system for the animals in the facility. It must be of sufficient distance from the outside of the primary enclosure to prevent physical contact between animals inside the enclosure and animals or persons outside the perimeter fence. Such fences less than 3 feet in distance from the primary enclosure must be approved in writing by the Administrator.

You failed to provide an adequate perimeter fence. The enclosures housing the kangaroo, woodchuck, porcupine, prairie dog, coati and cavy were surrounded by a fence that was only four feet high on the back side.

Date of Violation: (b) (6), (b) (7)(C) **2016**

9 C.F.R. § 2.131(d)(2) Handling of animals. A responsible, knowledgeable, and readily identifiable employee or attendant must be present at all times during periods of public contact.

You failed to have a responsible and readily identifiable attendant present during periods of public contact. The public was allowed in an area of the petting zoo which contained approximately 40 animals and from which the public could touch most of the animals inside enclosures, including a zebra, camel, watusi, cavi, porcupine, coati, and a lemur. Approximately 25 to 30 members of the public were in the area at one time, with only one attendant present, and who could only be identified by the rake and dust pan in his hand.



The Animal and Plant Health Inspection Service (APHIS) published 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 alleged violation(s) described above. This Official Warning is not to be construed as a final agency action, or as an adjudicated finding of a violation. If APHIS obtains evidence of any future violation of these federal regulations, APHIS may pursue civil penalties, criminal prosecution, or other sanctions for this alleged violation(s) and for any future violation(s). If you have any questions concerning this Official Warning or alleged violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name): Steven M. Bennett	OFFICE ADDRESS: 4700 River Road, Unit 85 Riverdale, MD 20737	
APHIS OFFICIAL (Title): Director, Investigative and Enforcement Services	DATE ISSUED: 11/8/2017	TELEPHONE NUMBER: (301) 851-2948

APHIS FORM 7060

Previous editions may be used

Rev. 9-13-16

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

CASE NUMBER:
WI180002

VIOLATOR:
Exotic Enterprises, Inc.
Animal Adventures

Customer# 7752
License# 35-C-0189

ADDRESS (City, State):
Delavan, WI

**OFFICIAL WARNING
NOTICE OF ALLEGED VIOLATION**

The Animal and Plant Health Inspection Service (APHIS) has evidence that on or about August 31, 2017, you failed to comply with the regulations issued under the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (AWA), as documented in the attached inspection report.

APHIS published 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 animals and the public interest, APHIS is providing you with this Official Warning. This Official Warning is not to be construed as a final agency action or an adjudicated finding of a violation. If APHIS obtains evidence of any violation of these Federal regulations in the future, APHIS may pursue civil penalties and other sanctions for these alleged violations and for any future violations. If you have any questions concerning this Official Warning, please contact the APHIS office telephone number listed in this notice.

APHIS OFFICIAL (Name): Gerald Rushin	OFFICE ADDRESS: 4700 River Road Riverdale, MD 30737	
APHIS OFFICIAL (TITLE): Assistant Deputy Administrator Animal Care	DATE ISSUED: Nov. 17, 2017	TELEPHONE NO: (970) 494-7478
CERTIFIED MAIL RECEIPT NO: 7017 0530 0000 3207 5477		