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CITATION AND NOTIFICATION OF PENALTY

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

Date of Alleged Violation: September 17, 2019

9 C.F.R. § 2.40(b)(2) Attending Veterinarian and Adequate Veterinary Care.

(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 provide adequate veterinary care for animals at your facility. APHIS officials observed a female Maltese (#186) chewing on her left flank at the base of her tail. The dog had hairless areas on the left flank, left hind leg, in front of the base of the tail, and behind the left shoulder. The hairless areas were reddened and had small areas of crusty, scab-like material.

Although the Program of Veterinary Care included a skin care treatment plan, the dog's condition had not been noticed and she was not receiving treatment.

Date of Alleged Violation: March 2, 2020

9 C.F.R. § 3.6(a)(2)(x) Primary enclosures.

Primary enclosures for dogs and cats must meet the following minimum requirements:

(a) General requirements.

(2) Primary enclosures must be constructed and maintained so that they: when worn or soiled;

(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;

You failed to have enclosure floors that were constructed in a manner that protects dogs' feet and legs from injury and do not allow dogs' feet to pass through enclosure floor openings.



APHIS officials observed the flooring of an enclosure that housed one adult female dog and one puppy that was constructed of wire. The puppy's feet were observed to be falling through the openings of the wire enclosure floor.

Date of Alleged Violation: June 3, 2021

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

(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 for an inspection.

An APHIS official arrived at your facility for an inspection at 5:40 p.m., but was informed that a responsible adult was unavailable to accompany the APHIS official for an inspection.

Date of Alleged Violation: September 13, 2021

9 C.F.R. § 2.40(b)(2) Attending Veterinarian and Adequate Veterinary Care.

(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 maintain an adequate Program Veterinary Care for the following animals:

- a female Yorkshire terrier (#3961) with a thick build-up of dark brown organic material on the upper canine, the lower canine and cheek teeth on both sides of its mouth. The animal also had slightly inflamed red gums above the upper right canine tooth.
- a grey female mixed-breed dog (#2842) with a thick build-up of a dark brown organic material on at least half of the upper right and left canine teeth surface, and a greyish-brown material covering the surface of both sides of upper cheek teeth.
- a male Maltese (#4044) with a build-up of dark brown organic material covering the majority of upper canine and cheek teeth surfaces, areas of grey material along gum line of the upper canine and cheek teeth; thick dark brown material encasing the lower left cheek teeth, and slightly inflamed and reddened gums.



- a male Yorkshire terrier (#4067) with a thick build-up of dark brown to black material covering surface of the majority of upper canine and front teeth, dark brown to black material completely encasing the upper cheek teeth on both sides, and reddened and inflamed gums along the upper right cheek and canine teeth.

You failed to have a method of euthanasia approved by the Attending Veterinarian. You are euthanizing dogs by injecting a drug, thought to be Beuthanasia-D, through the abdominal wall and into the stomach. The Attending Veterinarian did not give you the drug or authorize euthanasia with an intraabdominal injection.

Date of Alleged Violation: September 13, 2021

9 C.F.R. § 3.1(c)(2) Surfaces.

(2) Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities - including houses, dens, and other furniture-type fixtures and objects within the facility - that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

You failed to replace surfaces in housing facilities that were worn or soiled and cannot be readily cleaned and sanitized.

APHIS officials observed a plastic resting board in one enclosure that was damaged from excessive chewing on all four corners and unable to be cleaned and sanitized.

Date of Alleged Violation: January 11, 2022

9 C.F.R. § 2.40(b)(2) Attending Veterinarian and Adequate Veterinary Care.

(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 maintain an adequate Program of Veterinary Care for the following animals:

- a female Yorkshire terrier (#3961) with a thick build-up of dark brown organic material on the upper and lower canine and cheek teeth on both sides of its mouth, two loose upper cheek teeth, several small holes at the base of the loose teeth and along the base of the right upper cheek tooth, grey material along gumline of the loose teeth and lower left cheek teeth, reddened and receding gums.

- a grey female mixed-breed dog (#2842) with very few remaining teeth and a loose upper left canine tooth with a build-up of dark brown tartar on at least half of the tooth's surface. Following the

inspection, the veterinarian removed the loose tooth and prescribed antibiotics for gingivitis treatment.

- a male Yorkshire terrier (#9067) with dark brown tartar build-up on nearly the entire surface of upper left and right canine teeth and front teeth, holes at the base of one right upper cheek tooth, a small amount of blood along the gumline of a lower left cheek tooth, a creamy white substance coating the upper and lower cheek teeth on both sides, and slightly reddened gums. Following the inspection, the veterinarian recommended anesthetizing the dog for removal of some teeth and antibiotics for gingivitis treatment.

- a female Yorkshire terrier (#4073) with an abnormal condition of the left eye; an area of raised reddened tissue on the inside corner of the eye with clear discharge on the eyelid and hair around the affected tissue, and areas of hair loss above and in front of the eye. The dog's condition had not been noticed until the inspection. The veterinarian performed surgery for a cherry eye on January 22, 2022.

Date of Alleged Violation: January 11, 2022

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 design and construct housing facilities so that they are structurally sound and to maintain housing facilities in good repair to protect animals from injury.

An APHIS official observed a large hole cut on front of one wire enclosure where there was previously a self-feeder. The hole was large enough that a dog could place its head or legs through the hole. In another enclosure, there was an unattached strip of metal around the door frame that left a sharp edge.

Date of Alleged Violation: January 11, 2022

9 C.F.R. § 3.1(c)(2) Surfaces.

(2) Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities - including houses, dens, and other furniture-type fixtures and objects within the facility - that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

You failed to maintain all surfaces of housing facilities on a regular basis.

APHIS officials observed two enclosures that contained a total of one adult and two puppies with carpet squares that were excessively torn and shredded into long strings. The twelve-week-old puppy was seen continually entangled in the strings as it ran around the carpet square.



Date of Alleged Violation: January 11, 2022

9 C.F.R. § 3.11(b)(2) Sanitization of primary enclosures and food and water receptacles.

(2) Used primary enclosures and food and water receptacles for dogs and cats must be sanitized at least once every 2 weeks using one of the methods prescribed in paragraph (b)(3) of this section, and more often if necessary to prevent an accumulation of dirt, debris, food waste, excreta, and other disease hazards.

You failed to sanitize enclosures at least once every two weeks or more often if necessary to prevent an accumulation of dirt, debris, food waste, excreta, and other disease hazards.

APHIS officials observed the interior and exterior of a whelping box used by a twelve-week-old puppy with a build-up of brown material. In some places, the brown material coated the entire surface.

Date of Alleged Violation: January 11, 2022

9 C.F.R. § 3.13(b) Veterinary care for dogs.

(b) Dealers, exhibitors, and research facilities must keep copies of medical records for dogs and make the records available for APHIS inspection. These records must include:

- (1) The identity of the animal, including identifying marks, tattoos, or tags on the animal and the animal's breed, sex, and age; Provided, however, that routine husbandry, such as vaccinations, preventive medical procedures, or treatments, performed on all animals in a group (or herd), may be kept on a single record;
- (2) If a problem is identified (such as a disease, injury, or illness), the date and a description of the problem, examination findings, test results, plan for treatment and care, and treatment procedures performed, when appropriate;
- (3) The names of all vaccines and treatments administered and the dates of administration; and
- (4) The dates and findings/results of all screening, routine, or other required or recommended test or examination.

You failed to maintain copies of medical records for dogs and make them available for APHIS inspection.

You failed to maintain medical records documenting the exam and results of exams for examinations conducted by the Attending Veterinarian on July 7, 2021.

You were also unable to provide medical records for a female Maltese (#187) that was examined by the Attending Veterinarian during the Spring or Summer 2021 and diagnosed with an abdominal hernia.

Date of Alleged Violation: April 25, 2022**9 C.F.R. § 2.40(b)(2) Attending Veterinarian and Adequate Veterinary Care.**

(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 maintain an adequate Program of Veterinary Care for the following animals:

- a female Yorkshire terrier (tag #189, MC #3725) with a loose upper right canine tooth encased in a thick build-up of dark brown tartar, slightly reddened and receding gums, a lower left canine tooth encased in a thick build-up of dark brown tartar, hair, and a light-colored creamy substance, upper molars on both sides encased in a build-up of brown tartar. At the time of inspection, the teeth had not been identified or scheduled for treatment based on the condition. Additionally, this dog had numerous areas of scabs along the right shoulder area that when pulled off exposed some small open wounds that began bleeding, and scabs concentrated into perpendicular lines along left flank that when pulled off exposed raw skin beneath. This issue had not been noticed until the inspection.
- a female Yorkshire terrier (#024) with a loose upper left cheek tooth that moved easily under gentle pressure, upper right canine and an adjacent upper front tooth encased in a build-up of dark brown tartar, moderately reddened gums and a line of grey substance along the top of the upper molars on both sides. At the time of inspection, the teeth had not been identified or scheduled for treatment based on the condition.
- a female Yorkshire terrier (#176) with the majority of its teeth missing on both sides of the mouth, a remaining lower left cheek tooth that was loose and blood along base of the tooth. At the time of inspection, the teeth had not been identified or scheduled for treatment based on the condition.

Date of Alleged Violation: April 25, 2022

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 design and construct housing facilities so that they are structurally sound and to maintain housing facilities in good repair to protect animals from injury.

APHIS officials observed the following:

- an enclosure gate with a broken wire that was protruding inward and touching the faces, chests, and feet of two adult Yorkshire terriers.
- the outdoor portion of two enclosures with sharp points protruding inward from the top of the wire panel.
- the sheltered portion of a housing facility with a disconnected plastic divider on the front of an enclosure that resulted in a gap between enclosures through which a dog could place its leg.

Date of Alleged Violation: April 25, 2022

9 C.F.R. § 3.1(b) Housing facilities, general.

(b) Condition and site. Housing facilities and areas used for storing animal food or bedding must be free of any accumulation of trash, waste material, junk, weeds, and other discarded materials. Animal areas inside of housing facilities must be kept neat and free of clutter, including equipment, furniture, and stored material, but may contain materials actually used and necessary for cleaning the area, and fixtures or equipment necessary for proper husbandry practices and research needs. Housing facilities other than those maintained by research facilities and Federal research facilities must be physically separated from any other business. If a housing facility is located on the same premises as another business, it must be physically separated from the other business so that animals the size of dogs, skunks, and raccoons are prevented from entering it.

You failed to keep housing facilities free of any accumulation of trash, waste material, junk, and other discarded items.

APHIS officials observed two drawers used to house husbandry items for the dogs with an excessive amount of clutter, rusty pieces of metal, nails, screws, tools, used syringes, rodent feces, hair, wood shavings, and other debris.

Date of Alleged Violation: April 25, 2022

9 C.F.R. § 3.1(c)(2) Surfaces.

(2) Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities - including houses, dens, and other furniture-type fixtures and objects within the facility - that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

You failed to replace worn or soiled surfaces that cannot be readily cleaned and sanitized.

APHIS officials observed an enclosure housing one dog with a plastic divider that was severely scratched and worn.

Date of Alleged Violation: April 25, 2022



9 C.F.R. § 3.10(a) Watering.

(a) Potable water must be continuously available to the dogs, unless restricted by the attending veterinarian or except as provided in § 3.17(a).

You failed to make water continuously available to dogs.

APHIS officials conducted an inspection at 5:30 p.m. and found that water bowls for sixteen adult dogs, including one female nursing a litter of three puppies, were dry. When provided water, the majority of the dogs drank immediately, including one adult Yorkshire terrier that drank continuously for one and one-half minutes until it ran out of water. After the water bowl was refilled, the same dog drank for an additional thirty seconds.

Date of Alleged Violation: April 25, 2022

9 C.F.R. § 3.13(b) Veterinary care for dogs.

(b) Dealers, exhibitors, and research facilities must keep copies of medical records for dogs and make the records available for APHIS inspection. These records must include:

- (1) The identity of the animal, including identifying marks, tattoos, or tags on the animal and the animal's breed, sex, and age; Provided, however, that routine husbandry, such as vaccinations, preventive medical procedures, or treatments, performed on all animals in a group (or herd), may be kept on a single record;
- (2) If a problem is identified (such as a disease, injury, or illness), the date and a description of the problem, examination findings, test results, plan for treatment and care, and treatment procedures performed, when appropriate;
- (3) The names of all vaccines and treatments administered and the dates of administration; and
- (4) The dates and findings/results of all screening, routine, or other required or recommended test or examination.

You failed to maintain copies of medical records for dogs.

There were no medical records documenting exams and results of exams available for inspection by APHIS officials for examinations of dogs conducted by the Attending Veterinarian on June 7, 2021.

Date of Alleged Violation: August 16, 2022

9 C.F.R. § 2.40(b)(2) Attending Veterinarian and Adequate Veterinary Care.

(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 maintain an adequate Program of Veterinary Care for the following animals:



- a male Yorkshire terrier (tag #3721) observed with numerous clumps of feces attached to hair on the back of the hindlegs.
- a Yorkshire terrier (“Mario”) received treatment following a veterinary appointment on August 4, 2022, with penicillin that expired in March 2021.

Date of Alleged Violation: August 16, 2022

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 design and construct housing facilities so that they are structurally sound and to maintain housing facilities in good repair to protect animals from injury.

APHIS officials observed an enclosure housing one dog with a gap between the wall and a side panel that was large enough for the dog’s leg to pass through.

Date of Alleged Violation: August 16, 2022

9 C.F.R. § 3.1(c)(2) Surfaces.

(2) Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities - including houses, dens, and other furniture-type fixtures and objects within the facility - that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

You failed to replace worn or soiled surfaces that cannot be readily cleaned and sanitized.

APHIS officials observed the following surfaces that cannot be readily cleaned and sanitized:

- two whelping boxes with excessive chewing, wear, and dark brown material that penetrated the damaged surfaces of the boxes.
- three enclosures with carpet squares that had excessively torn edges shredded into long strings.

Date of Alleged Violation: August 16, 2022

9 C.F.R. § 3.11(b)(2) Sanitization of primary enclosures and food and water receptacles.

(2) Used primary enclosures and food and water receptacles for dogs and cats must be sanitized at least once every 2 weeks using one of the methods prescribed in paragraph (b)(3) of this section, and more often if necessary to



prevent an accumulation of dirt, debris, food waste, excreta, and other disease hazards.

You failed to sanitize enclosures at least once every two weeks or more often if necessary to prevent an accumulation of dirt, debris, food waste, excreta, and other disease hazards.

APHIS officials observed an enclosure housing two dogs with a large amount of dried feces stuck to the upper area of the side panel and a mold-like substance coating the feces.

The penalty for the alleged violation(s) described above is \$12,600.