

- During an inspection of a Class B dealer's facility in Missouri, inspectors reported: "On two dogs examined, the accompanying records did not record significant distinctive markings. Dog #431AH/12193 had a tattoo ('HOBAB') in right ear that was not recorded by dealer. Dog #4C280 had the tattoo 'HOBAB' in right ear; this tattoo was not recorded in the dealer records."
- USDA's 1990 Stolen Dog Task Force audit revealed that another Class B dealer in Missouri was listing fictitious names on his acquisition forms.
- The 1990 audit also revealed that of the 35 individuals an Arkansas Class B dealer listed as having sold him dogs, 14 could not be located, 7 denied selling any dogs to the dealer and one had been dead for four years.
- A USDA inspector who examined the records of a Class B dealer in Alabama reported: "Acquisition records checked today for dogs acquired after 8-16-93 revealed four sources and 27 dogs with incomplete information."
- USDA's 1993 Random Source Traceback project revealed that of 29 suppliers listed on an Indiana Class B dealer's records, 17 could not be located, and 7 who were located stated they hadn't sold any animals to the dealer.

Administrative Actions Against Dealers Take Years, Leaving Dealers Free to Continue Flouting the Law

USDA's process of documenting a case of violations of the Animal Welfare Act, determining if the violations warrants action, and pursuing an administrative action against the random source dealer to its conclusion, takes years. During the entire length of the process, the dealers are able to continue making money buying and selling dogs and cats. Note that though fines may be assessed, many fines, particularly steep ones, are never paid. Examples are provided below.

A Washington State random source dealer, licensed since 1989, was cited by USDA for serious violations of the Animal Welfare Act that same year. A complaint against the dealer was not filed until 1995—more than 5 years later.

It took another year before USDA reached a consent decision with the dealer, suspending his license for two years. The dealer made a lot of money in the seven years he was in business, and after a two year-hiatus, he can return to it—for perhaps another seven profitable years.

Beginning in 1991 USDA inspectors had extreme difficulties gaining access to an Indiana dealer's premises to conduct compliance inspections. USDA has been refused entry to the facility more than 25 times. A complaint against the random source dealer was filed in 1994, but the hearing was not held until May, 1996, almost two years later, and a decision is not expected until this fall.

While waiting for a decision from the Administrative Law Judge, he is still in business. Most of his animals are sold to other Class B dealers.

USDA found more than 1,600 violations of recordkeeping requirements were made by an Iowa dealer in 1990 and 1991. In September, 1992 a complaint was filed by USDA, and a hearing was finally held in June, 1994. The judge's decision was not announced until almost a year later, and since the dealer is appealing the case, he is still in business.

In response to significant violations of the Animal Welfare Act cited by USDA, an Oregon dealer had his license suspended for 21 days in 1988. A complaint against the dealer was filed that same year. A hearing was held almost a year later, with a decision from the judge calling for a 1 year license suspension and a \$10,000 fine in January 1990. The dealer appealed the decision and kept trading in animals. USDA continued documenting violations of the Animal Welfare Act at his premises. USDA filed another complaint in 1994. The dealer did not respond to the complaint so the judge issued a default judgement later that year, suspending the dealer's license for 10 years and assessing him a \$10,000 penalty. This dealer maintained his business, with only a minor interruption, for more than five years.



A Class B dealer who was accused of mistreating animals attempts to run down an ABC-TV reporter who requested an interview. Below, the dealer rams an ABC-TV van with his bulldozer.



***ANIMAL
CARE
VIOLATIONS***



One of 29 dogs confiscated from an Indiana dealer's facility. Below, a diseased cat sold by a Class B dealer.



SERIOUS VIOLATIONS OF REGULATIONS GOVERNING ANIMAL CARE BY CLASS B DEALERS

FAILURE TO PROVIDE ADEQUATE VETERINARY CARE:

• At a Class B dealer's premises in Arkansas, inspectors reported: "Dog #914 appears extremely sick with a discharge from both eyes and the nose A dog was chained inside a dirt isolation area in unsanitary conditions. This dog ... Has a large swelling along both sides of the ventral neck Dog number 840 was noted in a dirt isolation pen that had rusted metal cages within it and unsealed wood. The owner said the dog was sick and was to be euthanised that day. On close examination it was determined that the dog was actually dead The veterinary program for this facility shall be reevaluated because there are significant health problems that are not being adequately addressed."

• At a Class B dealer's facility in Ohio, inspectors repeatedly documented seriously inadequate veterinary care:

– "There were two dogs with projectile vomiting and one dog which was very depressed and had diarrhea. They were at this time receiving no treatment."

– "A greyhound was very thin and had very liquid diarrhea #5014 is shaking head and on visual inspection appears to have ear mites Dog #4675 has rectal prolapse and is thin and coughing #4841 was thin, dehydrated and had nasal discharge."

– "In the fenced lot, the following dogs were in need of veterinary care: Cage 86 - Walker hound; nasal discharge, heavy cough Cage 64 - red-tick cross hound; ocular nasal discharge, very thin, respiratory difficulty Cage 22 - Walker hound; extremely dehydrated; heavy ocular nasal discharge, emaciated #7633 - Walker hound; injured, abscessed foot, ocular discharge All above dogs were seriously ill and no record of treatment was available. There has been a continuing problem at this facility with lack of observation and prompt treatment or euthanasia of sick animals This remains a repeated deficiency."

– "Dog #6542 ... was emaciated, depressed ... dog was dehydrated, no fluids given Cat #01913 was moribund; had to have worker pick up cat to ascertain if it was even alive - no record of any treatment No veterinary treatments were given on 8/2, despite sick animals being present."

– A USDA inspector signed an affidavit stating: "There was a gross lack of proper veterinary care. We observed many sick dogs, dead and dying puppies, and moribund animals ... It was clear that employees did not keep accurate records or notes of sick animals for the attending veterinarian to examine, and that the veterinarian did not systematically and thoroughly inspect the entire facility for dogs and cats needing immediate veterinary care." Another inspector signed an affidavit stating: "Lack of veterinary care has been a chronic problem at this facility. As a result of this neglect, animals are suffering and dying needlessly. This neglect of animals must not be allowed to continue."



An emaciated victim of the random source dealer trade.

• At another Ohio Class B dealer's facility, inspectors reported: "Dog #22009 is weak, very thin and has gaunt look and unstable gait from weakness. This dog has mucous in eyes ... Received no treatment prior to 5-5-95 There is no reporting system in place for sick animals There are no veterinary medical records kept for sick or ill animals."

• At a Class B dealer's facility in Michigan, inspectors repeatedly reported inadequate veterinary care:

– "...Dog #22478 was emaciated, dehydrated, depressed, was weak and no treatment was given ... [D]og #22612 had heavy nasal discharge and no treatment was given Pen #2 kitten was noted to be moribund [D]og #22925 was noted to have nasal discharge and to be thin, hacking and depressed, and in Pen #18 nine out of twelve dogs had nasal discharge."

– "Many sick animals were not reported or being treated Cat #424551 - both eyes stuck shut with copious ocular discharge. Cat was to be euthanised last Thursday but still living and not responding to treatment."

– "...Many, many dogs were noted to be unresponsive and shaking with cold. These dogs need to be supported with additional heat and isolation from healthy dogs."

– Dog #45150 was shaking, labored breathing and coughing Dog # 45197 was emaciated and very depressed #41939 and #41956 had bloody diarrhea which was not detected or treated Cat #12171 had ear mites, greatly enlarged lymph nodes and was non-weightbearing on right front foot; Cat #35851 was depressed, emaciated, dehydrated and severely ataxic."

• At a Class B dealer's facility in Pennsylvania, inspectors reported: "[C]at 102783 and cat 127077 were dead in their cages. Bodies were stiff at 11:10 a.m. Cat 127660 was emaciated, dehydrated with nasal exude. Cat 127072 was emaciated, dehydrated with severe crusty nasal exude Dog 129682, husky, was emaciated, depressed, weak with severe nasal ocular discharges. This animal was housed with other apparently healthy dogs."

• At a Class B dealer's facility in Alabama, inspectors reported: "Several dogs needed veterinary care or euthanasia. I helped the owner euthanize them. Dogs emaciated, purulent nasal discharge, semi-comatose. Two dead dogs in pens, one being eaten by other dogs."

• At a Class B dealer's facility in Washington, inspectors reported: "Female hound #0464 very thin and appears emaciated Female hound #1373 is limping noticeably on badly swollen left front paw Female hound #470 is thin (appears emaciated), lethargic, apparently anorectic and has open wounds on right hip and on right mammary."

• In June 1994, USDA inspectors discovered a number of sick and emaciated dogs at an Indiana Class B dealer's facility. When the inspectors returned the following day, they discovered the dealer had still not provided the animals with veterinary care. The inspectors confiscated twenty-nine animals; seventeen of the animals had to be euthanised because of malnourishment, Parvo and distemper. In 1995, this dealer was charged with cruelty to animals for failure to provide veterinary care to sick dogs he was transporting to another dealer's facility.

FAILURE TO PROVIDE ADEQUATE HOUSING/SHELTER FROM THE ELEMENTS:

- At a Class B dealer's facility in Massachusetts, inspectors reported:
 - "Five outdoor runs ... are in total disrepair. All pipes and bars are rusty. Several have begun to crumble There are also panels of chain link with jagged edges protruding into the enclosures."

- At a Class B dealer's facility in West Virginia, inspectors reported:
 - "Roof of sheltered facility has weak areas with evidence of heavy leak. Ceiling has dropped and is separated on interior and is not structurally sound ... Numerous sharp wires exposed in sheltered facility and on outdoor runs."
 - "Inside Pen 3 and Pen 2 were sharp metal edges from tin that was rusted out Some wires are sharp and need cutting or covered to protect dogs from injury."

- At a Class B dealer's facility in Tennessee, inspectors reported that a mother dog and her four puppies "were tied to a trailer outside the dog compound. There is ... No shelter as such. The animals are able to retreat under the trailer, but there is no other shelter, and no protection from predators." At another dealer's facility in Tennessee, animals had "[n]o shelter from direct sunlight in outdoor housing."

- At a Class B dealer's facility in Washington, inspectors reported:
 - "Dogs not provided with safe primary enclosures (chained to bumper of old pickup truck, chained to overturned and unstable pickup bed rack; [housed in] old chicken coop with loose wire and nails protruding into enclosure."
 - "[D]ogs (36) are still chained to doghouses outside and exposed to elements of sunlight, wind, rain, snow and cold."

- At a Class B dealer's facility in Missouri, inspectors reported: "Many of the dogs were wet and shivering and no bedding was present in the shelter. The temperature was 45 degrees Fahrenheit and dropping..."

- At a Class B dealer's facility in Arkansas, inspectors reported: "One-hundred and sixty-two dogs are housed in enclosures that have insufficient protection from the



Delapidated dog shelters on a Pennsylvania dealer's premise. Below, gaping holes and protruding wires in the floor of a cage at a dealer's facility pose risk of injury to dogs.





Substandard housing at an Iowa Class B dealer's facility.





A Class B dealer's premises. Below, a dealer's truck at a trade day.



cold. The dog houses for these dogs shall have front walls provided — they currently are three-sided with an open front.”

• At a Class B dealer’s facility in Minnesota, inspectors reported that “[t]he temperature in the barn was measured 23 degrees F All of the dogs there were random source and non-acclimated. Water in bowls was frozen, indicating that the temperature was below 45 degrees F for more than four hours. Many short-haired dogs were shaking horribly from the cold.”

FAILURE TO PROVIDE ADEQUATE SANITATION:

• At a Class B dealer’s facility in Massachusetts, inspectors reported:

– “[F]acility had an accumulation of trash, debris, tools, food and water receptacles, fencing, chemicals, insecticides, etc. All runs had an accumulation of feces. One run with two large dogs had over 20 piles of feces within it. A run with three Miniature Pinschers had over 30 piles of feces within it Animals continue to be housed in pens ... Which still contain glass and other harmful material Used needles and syringes were found within a dog’s primary enclosure.”

– “During today’s inspection it is apparent that excreta and food waste are not being removed daily [S]everal of the outside runs had an accumulation of feces. [A run with] two daschunds had 12 piles of feces in it, and another with two Boston terriers had 25 piles of feces in it Animals continue to be housed in pens with glass in them.”

• At a Class B dealer’s facility in Tennessee, inspectors reported: “... Floors have accumulated dried feces The ground adjacent to the kennel building is riddled with rat dens and covered with rat feces.”

• During an inspection of a Class B dealer’s facility in Ohio, an inspector reported: “I observed two cages with large amounts of feces One of these was infested with maggots. The general level of cleanliness was poor with encrusted feces in cages and pens throughout the facility. Many feeders were filthy with caked, molding food There were maggots in at least one dog feeder. Many water bowls were dirty with algae growth in them.”

FAILURE TO PROVIDE ADEQUATE FOOD AND WATER:

• At a Class B dealer’s facility in Kentucky, inspectors reported:

– “Licensee feeding raw human garbage along with regular pelleted feed.”

– “Both dog pens, holding 11 dogs, had no food. Feed bins were upside down and dirty Both dog pens ... Had no water. Water buckets were tipped over and water pans were empty.”

– “All dogs still without feed. Feed buckets are still upside down in enclosure All