



VIA: USPS Certified Mail
Shipping Event: 1st

June 26, 2012

Rose and Warner Parmley
d/b/a Parmley's Kennels
24598 State Highway
Green Castle, MO 63544

SETTLEMENT AGREEMENT

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 Violation: February 11, 2010

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain a program of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to properly use, store, and label medications.

Date of Violation: February 11, 2010

9 C.F.R. § 3.6(a)(2)(i) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair and not contain sharp points or edges that could injure the dogs and cats.

You failed to maintain and repair 4 enclosures with broken wires in the flooring and walls.

Date of Violation: February 11, 2010

9 C.F.R. § 3.11(a) Cleaning, sanitization, housekeeping, and pest control. Cleaning of primary enclosures. Excreta and food waste must be removed from primary enclosures daily, and from under primary enclosures as often 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 clean and sanitize the outdoor part of various enclosures that had an excessive accumulation of feces.



Date of Violation: February 11, 2010

9 C.F.R. § 3.11(d) Cleaning, sanitization, housekeeping, and pest control. Pest control. An effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests, must be established and maintained so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

You failed to maintain an effective program to control rodent pests, as evidenced by accumulations of rodent droppings in the Cocker building.

Date of Violation: May 26, 2010

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain a program of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to provide veterinary care to at least one dog with dark discharge and reddened and thickened skin in its ear.

Date of Violation: May 26, 2010

9 C.F.R. § 3.6(a)(2)(i) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair and not contain sharp points or edges that could injure the dogs and cats.

You failed to maintain and repair broken wires throughout the exterior runs of the older buildings in the facility.

Date of Violation: May 26, 2010

9 C.F.R. § 3.9(a) Feeding. 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. The diet must be appropriate for the individual animal's age and condition.

You failed to provide wholesome food, as evidenced by feeders that contained food contaminated with rodent droppings.

Date of Violation: May 26, 2010

9 C.F.R. § 3.10 Watering. If potable water is not continually available to the dogs and cats, it must be offered of the dogs and cats as often as necessary to ensure their health and well-being, but not less than twice daily for at least 1 hour each time, unless restricted by the attending veterinarian. Water receptacles must be kept clean and sanitized.

You failed to provide potable water to a dog whose water contained fecal matter.



Date of Violation: May 26, 2010

9 C.F.R. § 3.11(d) Cleaning, sanitization, housekeeping, and pest control. Pest control. An effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests, must be established and maintained so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

You failed to provide an effective program to control rodent pests in and around the older buildings, as evidenced by rodent droppings, including droppings inside feeders.

Date of Violation: June 8, 2010

9 C.F.R. § 2.40(a)(1) Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall have an attending veterinarian who shall provide adequate veterinary care to its animals in compliance with this section. Each dealer and exhibitor shall employ an attending veterinarian under formal arrangements. In the case of a part-time attending veterinarian or consultant arrangements, the formal arrangements shall include a written program of veterinary care and regularly scheduled visits to the premises of the dealer or exhibitor.

You failed to follow the written program of veterinary care regarding the use of a paramite dip.

Date of Violation: June 8, 2010

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain a program of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to provide adequate veterinary care to:

- 1) a Jack Russell terrier who was non-weight bearing on her front left paw;
- 2) at least two dogs with brown drainage, and red inflamed ears;
- 2) at least two dogs with severe tartar and inflamed gingiva; and
- 3) at least one dog with long toenails.

Date of Violation: June 8, 2010

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

You failed to remove clutter that was located in the interior enclosures.



Date of Violation: June 8, 2010

9 C.F.R. § 3.1(c)(3) Housing facilities, general. Surfaces. Cleaning. The surfaces of housing facilities – including houses, dens, and other furniture-type fixtures and objects within the facility must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Interior surfaces and any surfaces that come in contact with dogs or cats must be spot cleaned daily and sanitized to prevent accumulation of excreta and reduce disease hazards.

You failed to clean and sanitize interior surfaces of the housing facility.

Date of Violation: June 8, 2010

9 C.F.R. § 3.1(f) Housing facilities, general. Drainage and waste disposal. Housing facility operators must provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, debris, garbage, water, other fluids and wastes, and dead animals, in a manner that minimizes contamination and disease risks. Housing facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal waste and water are rapidly eliminated and animals stay dry.

You failed to provide a drainage system for 3 pens at the end of the outdoor run that had large puddles of standing water.

Date of Violation: June 8, 2010

9 C.F.R. § 3.3(b) Sheltered housing facilities. Ventilation. The enclosed or sheltered part of sheltered housing facilities for dogs and cats must be sufficiently ventilated when dogs or cats are present to provide for their health and well-being, and to minimize odors, drafts, ammonia levels, and moisture condensation. Ventilation must be provided by windows, doors, vents, fans, or air conditioning.

You failed to provide sufficient ventilation at the end of the nursery building.

Date of Violation: June 8, 2010

9 C.F.R. § 3.6(a)(1) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair.

You failed to repair/replace wooden supports in the primary enclosures located in the older buildings that were badly worn.



Date of Violation: June 8, 2010

9 C.F.R. § 3.6(a)(2)(i) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair and not contain sharp points or edges that could injure the dogs and cats.

You failed to maintain and repair sharp wire points.

Date of Violation: June 8, 2010

9 C.F.R. § 3.9(b) Feeding. Food receptacles must be used for dogs and cats, must be readily accessible to all dogs and cats, and must be located so as to minimize contamination by excreta and pests, and be protected from rain and snow. Feeding pans must either be made of a durable material that can be easily cleaned and sanitized or be disposable. If the food receptacles are not disposable, they must be kept clean and must be sanitized.

You failed to provide self-feeders that could be adequately cleaned and sanitized, as many were rusted.

Date of Violation: June 8, 2010

9 C.F.R. § 3.10 Watering. If potable water is not continually available to the dogs and cats, it must be offered of the dogs and cats as often as necessary to ensure their health and well-being, but not less than twice daily for at least 1 hour each time, unless restricted by the attending veterinarian. Water receptacles must be kept clean and sanitized.

You failed to provide water receptacles that could be adequately cleaned and sanitized.

Date of Violation: June 8, 2010

9 C.F.R. § 3.11(c) Cleaning, sanitization, housekeeping, and pest control. Housekeeping for premises. Premises where housing facilities are located, including buildings and surroundings grounds, must be kept clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required in this subpart, and to reduce or eliminate breeding and living areas for rodents and other pests and vermin. Premises must be kept free of accumulations of trash, junk, waste products, and discarded matter.

You failed to clean excessive accumulations of trash, old building materials, tires and buckets.

Date of Violation: June 8, 2010

9 C.F.R. § 3.11(d) Cleaning, sanitization, housekeeping, and pest control. Pest control. An effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests, must be established and maintained so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

You failed to provide pest control for a rodent infestation in and around the older



buildings.

Date of Violation: September 8, 2010

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain a program of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to provide adequate veterinary care to at least one dog with brown drainage, red inflamed ears and that was shaking its head.

Date of Violation: September 8, 2010

9 C.F.R. § 3.6(a)(1) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair.

You failed to repair/replace wooden supports in the primary enclosures located in the older buildings that were badly worn.

Date of Violation: September 8, 2010

9 C.F.R. § 3.6(a)(2)(i) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair and not contain sharp points or edges that could injure the dogs and cats.

You failed to maintain and repair sharp points sticking out in two pens.

Date of Violation: January 27, 2011

9 C.F.R. § 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors). You failed to establish and maintain a program of adequate veterinary care that included the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries for the animals at your facility.

You failed to provide adequate veterinary care to:

1) 1 dog with an excessive amount of thick, hard, green-brownish buildup on its tooth, which was protruding sideways from the mouth.

Date of Violation: January 27, 2011

9 C.F.R. § 3.6(a)(1) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair.

You failed to repair/replace chewed wooden enclosures located in the long and cocker buildings.



Date of Violation: January 27, 2011

9 C.F.R. § 3.6(a)(2)(i) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair and not contain sharp points or edges that could injure the dogs and cats.

You failed to maintain and repair broken wires protruding out in two pens.

Date of Violation: January 27, 2011

9 C.F.R. § 3.6(a)(2)(ix) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair and enable all surfaces in contact with the dogs and cats to be readily cleaned and sanitized, or be replaceable when worn or soiled.

You failed to repair/replace various enclosures that had chewed wood, or unsealed wood surfaces that were exposed.

Date of Violation: January 27, 2011

9 C.F.R. § 3.11(d) Cleaning, sanitization, housekeeping, and pest control. Pest control. An effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests, must be established and maintained so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

You failed to provide effective pest control, as evidenced by rodent droppings in the wash downs, window sill and along the floor of the cocker building.

Date of Violation: April 6, 2011

9 C.F.R. § 3.6(a)(2)(i) Primary enclosures. General requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair and not contain sharp points or edges that could injure the dogs and cats.

You failed to maintain and repair various enclosures that had broken wires protruding into the pen.

The penalty amount for the alleged violations above is \$8,750.