



January 23, 2023

Greg Benton
Chief of Police
Wetumpka Police Department
4950 U.S. Hwy 231
Wetumpka, AL 36092

Re: Request to Investigate Blue Ridge Kennel for Apparent Violations of
Alabama's Cruelty to Animals Laws

Dear Chief Benton:

I am writing on behalf of People for the Ethical Treatment of Animals (PETA)—PETA and its global entities have more than 9.5 million members and supporters, nearly 57,000 of whom live in Alabama—to respectfully request that your office investigate and pursue enforcement action against Blue Ridge Kennel—a contract testing laboratory located at 2934 Rifle Range Rd. in Wetumpka, Alabama that tests pet products on live dogs—for its apparent violations of Alabama's prohibitions against cruelty to animals. Documented evidence from the past year identifies numerous instances of Blue Ridge Kennel subjecting dogs to unjustifiable pain or suffering in apparent violation of Alabama Criminal Code sections 13A-11-241 (Cruelty to Dog or Cat) and 13A-11-14 (Cruelty to Animals).

PETA has obtained federal reports from the U.S. Department of Agriculture (USDA)—dated July 27, 2022, October 12, 2022, and December 14, 2022—that document 15 violations of the federal Animal Welfare Act (AWA) in Blue Ridge Kennel's laboratories during the six-month period from July to December 2022. These reports provide evidence that Blue Ridge Kennel failed to meet animals' most basic needs for food and care. In some instances, workers failed even to notice that dogs were suffering with health ailments, while in other instances, workers observed health concerns but failed to inform the veterinarian about these concerns. In other instances, the veterinarian was informed of health concerns and instructed staff to administer treatments to the ailing dogs, but workers failed to carry out the veterinarian's directives. All three inspection reports cite Blue Ridge Kennel's failure to provide adequate veterinary care to dogs, noting: "Animals who have problems that are not promptly identified by the facility and conveyed to the attending veterinarian may suffer from discomfort, pain, disease progression, and even death." All three reports also document Blue Ridge Kennel's failure to ensure that the veterinarian's instructions had been followed for dogs who exhibited painful conditions, noting: "The facility hasn't thoroughly documented the conditions, treatment by the [attending veterinarian] or follow-up instructions in the medical records" for dogs at the premises.

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

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1536 16th St. N.W.
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202-483-PETA

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Entities:

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

The USDA's inspection report for Blue Ridge Kennel dated July 27, 2022¹ documents apparently cruel acts or neglect toward the following dogs:

- A Redbone Coonhound (Microchip #98102003968162)² was observed as being “thin in appearance,” with “the ribs, backbone and hip bones” being visible along with “an abdominal tuck and prominent waist.” The attending veterinarian had evaluated this dog's condition two months before the inspection, but the dog's condition had not improved. Veterinary care records for this dog were incomplete, and it was not clear that the veterinarian's instructions had been followed. The attached photographs demonstrate that this dog's condition was readily apparent.
- A yellow male Labrador retriever (Microchip #985112004242042)^{3,4} “had dropped hips and struggled to stand.” The report continues: “He had a prostrated stance and appeared weak. He had pressure sores from laying down on his elbows and legs.” This dog had been observed to be “doing fine” in May, but during the July inspection, he had “difficulty ambulating” and “getting out of [his] own urine and feces.” Veterinary care records for this dog were also incomplete. The attached photographs and available video demonstrate that this dog's condition was readily apparent.
- A black female Labrador retriever (Microchip #956000004042894)⁵ had thickened ear tissue that extended into the ear canal. It did not appear that the dog was being treated in accordance with the veterinarian's instructions. The attached photographs demonstrate that this dog's condition was readily apparent.

The USDA's inspection report for Blue Ridge Kennel dated October 12, 2022⁶ documents apparently cruel acts or neglect toward the following dogs:

- A 10-year-old yellow Labrador dog named Showboat (Microchip #900215003196826) had “an approximately 1-inch diameter raised round soft lump on the right hind foot, located midway between the toes and the ankle (hock) joint.” The lump was observed to be pink, with some hair loss. The veterinarian had not been contacted about this dog's condition.
- A 9-year-old female yellow Labrador dog named Sunny (Microchip #965000005267139) had two lumps on her feet—“a ½ inch diameter, round, hairless, pink and black swelling” on her right front foot and “a ½ inch diameter, round, hairless, pink and black swelling” on her left hind foot. The veterinarian had not been contacted about this dog's condition.
- A 5-year-old male yellow Labrador dog named Burger (Microchip #900215003196988) had “an approximately ½ inch diameter raised round pink hairless mass on the left front foot.” This mass had not been observed by the kennel manager. Also, Burger had lost approximately 25% of his body weight over a five-month period in 2022. The

¹ Ex. 1, USDA Inspection Report, July 27, 2022.

² Ex. 2, USDA Photographs of dog with Microchip #98102003968162. Using the Freedom of Information Act, PETA was able to secure photographs of the dogs identified in the July 27, 2022 from the USDA. We have not yet received photographs corresponding to the other inspection reports.

³ Ex. 3, USDA Photographs of dog with Microchip #985112004242042.

⁴ USDA Video of dog with Microchip #985112004242042. The video can be downloaded here:

https://www.peta.org/wp-content/uploads/2023/01/blue_ridge_kennel_2022_july_aphis_inspection_photos_and_videos_25901.mov

⁵ Ex. 4, USDA Photographs of dog with Microchip #956000004042894.

⁶ Ex. 5, USDA Inspection Report, October 12, 2022.

veterinarian prescribed a dewormer and an antibiotic, but it did not appear that the dog was being treated per the veterinarian's instructions.

- A 10-year-old neutered male Vizsla named Pongo (Microchip #985112005668866) was noted to be thin with a body condition score of 3/9—suggesting that the top of his spine was visible and his hip bones may have been prominent—and the veterinarian prescribed a dewormer and also provided other instructions for Pongo's care. However, it did not appear that the dog was being treated per the veterinarian's instructions.
- An 11-year-old female Golden Retriever named Amanda (Microchip #985112004242013) and a 12-year-old male Golden Retriever named Rio (Microchip #956000005266129) were examined by the veterinarian "for ear issues" and were prescribed a number of treatments, but it did not appear that the dogs' ears were being treated per the veterinarian's instructions.
- A 10-year-old female German Shorthair Pointer dog named Annie (Microchip #985112003820467) was prescribed antibiotics and a cough suppressant, but there was no documentation indicating that these treatments had been administered.
- A 7-year-old female Weimaraner named Pearl (Microchip #956000004032360) had "an approximately 1.5-inch diameter firm round mass under the last two nipples on the right side of her abdomen, located near the inner right thigh." However, "this health issue was not documented in the dog's medical records."
- An 11-year-old female Vizsla named Shakira (Microchip #985112005668912) had "an approximately 1.5-inch diameter soft round lump on the right hind limb in the thigh area on the outside of the leg." However, there was "no documentation of this observation or any communication with the [attending veterinarian] in the medical record."

The USDA's inspection report for Blue Ridge Kennel dated December 14, 2022⁷ documents apparently cruel acts or neglect toward the following dogs:

- A 1-year, 10-month male black Labrador dog named Preston (Microchip #956000012520826), an adult female Weimaraner dog named Star (Microchip #98112004242291), and an 11-year-old adult female Vizsla dog named Shakira (Microchip #985112005668912) were observed by the USDA inspector to be "very thin," with their "ribs, backbone and hip bones" clearly visible. As well, "an abdominal tuck and prominent waist were observed." Preston was also observed to have "muscle loss in the forehead area." None of these three dogs had been included in the facility's list of dogs who receive supplemental feeding. The report states: "Dogs who are severely underweight may suffer from hunger, stress, discomfort resting on hard surfaces, difficulty maintaining body temperature, and poor absorption of vitamins. Dogs who are losing weight or losing muscle mass may have serious underlying health conditions such as parasites or cancer, which can cause the animal to experience discomfort or dysfunction of body systems."

The animal welfare violations documented in the inspection reports from 2022 follow a pattern of mistreatment of dogs at Blue Ridge Kennel, documented in earlier USDA inspection reports. Although the apparent cruel acts or neglect toward dogs documented in these reports falls

⁷ Ex. 6, USDA Inspection Report, December 14, 2022.

outside the statute of limitations for Alabama’s cruelty-to-animals statutes, we have included these here as evidence of a longer pattern of mistreatment of dogs at Blue Ridge Kennel.⁸

Alabama defines “cruel” treatment of dogs to mean “[e]very act, omission, or neglect, including abandonment, where unnecessary or unjustifiable pain or suffering, including abandonment, is caused or where unnecessary pain or suffering is allowed to continue” Ala. Code §13A-11-240(b). It specifically prohibits depriving dogs of “necessary sustenance” and unnecessarily injuring a dog or causing the same. *Id.* § 13A-11-241(b). While Section 13A-11-246 excludes “[a]cademic and research enterprises that use dogs or cats for medical or pharmaceutical research or testing,” Blue Ridge Kennel only tests products intended for the pet industry and not for human use and is not exempt from the prohibitions against cruelty to dogs.

Additionally, the state deems “cruelty to animals” to include actions in which a person “recklessly or with criminal negligence: (1) Subjects any animal to cruel mistreatment; or (2) Subjects any animal in his or her custody to cruel neglect.” *Id.* § 13A-11-14(a). The conduct described above is also not exempt under this statute. Section 13A-11-14.1(c)(5) exempts “conduct that is lawful under the laws of this state or the United States relating to activities undertaken by research and education facilities and institutions.” As the incidents listed above were cited in USDA inspection reports as violations of the federal AWA, the conduct during these incidents was not lawful under the laws of the United States—and thus it is not exempt from Alabama’s cruelty-to-animals statute.

The federal AWA does not insulate Blue Ridge Kennel from liability under state law because it expressly does not preempt the field.⁹ Moreover, the enforcement of state law for the protection of animals is crucial given that the AWA provides only minimal protections—and even those have been routinely found by the USDA’s own internal watchdog to be inadequately enforced, and Blue Ridge Kennel’s conduct appears to fall squarely within the prohibitions of Alabama’s laws. PETA respectfully requests that you fully investigate Blue Ridge Kennel’s failures to provide animals with even the most basic necessities of life and pursue all appropriate charges. Thank you for your attention to this important matter. Please do not hesitate to contact me with any questions at alkac@peta.org or 757-803-6447. I look forward to hearing from you.

Sincerely,



Alka Chandna, Ph.D.
Vice President
Laboratory Investigations Cases
People for the Ethical Treatment of Animals

⁸ Ex. 7, USDA Inspection Reports, August 31, 2021, November 22, 2021.

⁹ 7 U.S.C. §§ 2143(a)(8), 2145(b); see also USDA OIG, CONTROLS OVER APHIS LICENSING OF ANIMAL EXHIBITORS, AUDIT REP. 33601-10-Ch, at 4 (June 2010), <https://www.usda.gov/sites/default/files/33601-10-CH.pdf> (stating that “[t]he AWA does not supersede State and local authorities or restrict them in any way when their laws are more stringent than the AWA”).

Exhibit 1



Inspection Report

BLUE RIDGE KENNEL
P O BOX 1207
WETUMPKA, AL 36092

Customer ID: **928**
Certificate: **64-R-0102**
Site: 001
BLUE RIDGE KENNEL

Type: ROUTINE INSPECTION
Date: 27-JUL-2022

2.31(d)(1)(iii)

Institutional Animal Care and Use Committee (IACUC).

The IACUC-approved protocol does not include any written assurance that the activities do not unnecessarily duplicate previous experiments. The IACUC shall determine during the review of proposed animal use activities or significant changes in ongoing activities that the principal investigator has provided written assurance that the activities do not unnecessarily duplicate previous experiments. This requirement ensures that the animals under study do not experience research activities that are unnecessarily duplicative. The IACUC needs to address this deficiency and needs to ensure that all approved protocols contain a written assurance regarding unnecessary duplication. Correct by August 28, 2022.

2.31(e)(2)

Institutional Animal Care and Use Committee (IACUC).

The IACUC-approved protocol does not provide an adequate rationale for the appropriateness of the number of animals to be used. The protocol simply states that "this amount was required for an adequate sample size for statistical analysis". No references, statistics or calculations were included to back up this assertion. When asked, the facility representative did not provide documentation or an explanation of how a statistical test was used to determine the number of animals for this specific protocol. It is important for protocols to include an adequate explanation for the number of animals requested so that the IACUC can review it and determine if the number requested is appropriate for the proposed work. Failure to

Prepared By: ANNETTE CHAPMAN
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL
OFFICER

Date:
29-JUL-2022

Received by Title: IACUC Representative

Date:
29-JUL-2022



Inspection Report

provide and review this detail can result in an excess of animals used which goes against the Animal Welfare Act's aim to minimize animal pain and distress. The registrant must ensure that all protocols contain not only a rationale for involving animals and the appropriateness of the species, but also the rationale for the appropriateness of the numbers of animals to be used. Correct by August 28, 2022.

2.31(e)(4)

Institutional Animal Care and Use Committee (IACUC).

The IACUC-approved protocol states a general goal for the study but does not provide a detailed description of how the study will be conducted. A description of procedures is needed to allow the IACUC to thoroughly review the proposal and determine that the proposed activities will avoid or minimize discomfort, distress, and pain to the animals. The protocol must be updated to include a complete description of procedures designed to assure that discomfort and pain to the animals will be minimized whenever possible, to safeguard the well-being of the animals. Correct by August 28, 2022.

2.33(b)(2)

Direct

Repeat

Attending veterinarian and adequate veterinary care.

The following animals have been evaluated by the AV but the conditions have not improved and some have worsened.

There hasn't been any follow-up examination or treatment instructions given by the AV for their current conditions. A

Redbone Coonhound (Microchip # 98102003968162) is thin in appearance. When viewed from the back and side, the ribs, backbone and hip bones were visible. In addition, an abdominal tuck and prominent waist were observed. Per the IACUC representative, the AV found worms in May and treated the animals. He also ordered that the animal be given double feedings. At the time of inspection, the attending veterinarian had not been consulted about the animal not showing any improvements or gains from double feedings. The loss of body weight could be an indication this dog is not receiving adequate nutrition or it could be internal problems. This can affect the ability of this dog to gain or maintain its body weight.

Prepared By: ANNETTE CHAPMAN

USDA, APHIS, Animal Care

Date:

29-JUL-2022

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Date:

29-JUL-2022



Inspection Report

A yellow male Labrador Retriever (Microchip # 985112004242042) had dropped hips and struggled to stand. He had a prostrated stance and appeared weak. He had pressure sores from laying down on his elbows and legs. The IACUC representative stated that in May the animal presented as "doing fine" at his last examination but his condition had severely declined in the last 3 weeks. In this time he has been having difficulty ambulating and getting out of it's own urine and feces. The IACUC representative stated that his quality of life has drastically changed. At the time of the inspection the facility had not consulted with the AV on recent developments nor was there any follow-up examination to assess his current state for a new treatment plan.

A black female Labrador Retriever's (Microchip # 956000004042894) ears were thickened extending into the ear canal. The facility stated that she has always had this condition and they were instructed to clean the ears, which wasn't noted in the medical records. The process has been ongoing but the facility has not consulted the AV on the next step.

The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries must be made available to ensure that adequate veterinary care is received.

3.1(e)

Housing facilities, general.

In the feed storage rooms for kennel buildings 1 and 3 there were rolled up bags of leftover food from the testing with tape sealing them closed. The representative explained that the food could be used to feed the dogs in between testing. The bags were not in leakproof containers. All open supplies of food and bedding must be kept in leakproof containers with tightly fitting lids to prevent contamination and spoilage. Correct by August 5, 2022

3.13(b)(2)

Prepared By: ANNETTE CHAPMAN
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL
OFFICER

Date:
29-JUL-2022

Received by Title: IACUC Representative

Date:
29-JUL-2022



Inspection Report

Veterinary care for dogs.

The medical records were incomplete, not including the current ailments of 6 dogs at the facility. There were 3 redbone coonhounds (Microchip # 956000012460063) (Microchip # 956000012058935) that were underweight with one redbone (Microchip # 981020039681862) specifically not showing any improvements or gains since the AV instructed the facility to double feed. There weren't any notes on the condition or instructions from the AV referencing the animal's condition. A yellow male Labrador Retriever (Microchip # 985112004242042) has been having difficulty ambulating. Per the IACUC representative, the animal was evaluated in November for not getting up and was diagnosed and treated at that time by the AV. The medical records did not reflect the examination and treatment of that visit. The animal was reevaluated in May and was doing fine but his health has recently declined in the past 3 weeks. A black female Labrador Retriever's (Microchip # 956000004042894) ears were thickened. Per the IACUC representative, the process has been ongoing and has not been documented in the medical records. The facility stated that she has always had this condition and they were instructed to clean the ears, which also wasn't stated in the records. A chocolate female Labrador Retriever's (Microchip #) ears had excessive debris and the facility was instructed to wash them but it wasn't documented in the records.

The facility hasn't thoroughly documented the conditions, treatment by the AV or follow-up instructions in the medical records for the six adult dogs at the time of inspection. Maintaining medical records on any abnormal condition observed on any dog at the premise is essential to always have on hand. Medical records give a detailed description on when the abnormal condition was first observed, and any correspondence done by the licensee with the attending veterinarian. It will contain any diagnosis made by the attending veterinarian and any treatment recommended by the attending veterinarian. Medical records on all dogs and puppies being kept at the facility are very essential and must be made available to the inspector upon request during the facility inspection. The facility shall maintain medical records if a problem is identified (such as a disease, injury, or illness), the date and a description of the problem, examination

Prepared By: ANNETTE CHAPMAN
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL
OFFICER

Date:
29-JUL-2022

Received by Title: IACUC Representative

Date:
29-JUL-2022



Inspection Report

findings, test results, plan for treatment and care, and treatment procedures performed, when appropriate. Correct by August 8, 2022.

This inspection and exit interview were conducted with the IACUC representative.

Additional Inspectors:

STEPHANIE MAYARD, VETERINARY MEDICAL OFFICER

Prepared By: ANNETTE CHAPMAN
USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL
OFFICER

Date:
29-JUL-2022

Received by Title: IACUC Representative

Date:
29-JUL-2022



United States Department of Agriculture
Animal and Plant Health Inspection Service

Customer: 928
Inspection Date: 27-Jul-2022

Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
928	64-R-0102	001	BLUE RIDGE KENNEL	27-JUL-2022

Count	Scientific Name	Common Name
000099	<i>Canis lupus familiaris</i>	DOG ADULT
000099	Total	

Exhibit 2



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The Redbone Coonhound (Microchip # 98102003968162) that was thin in appearance.



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The Redbone Coonhound (Microchip # 98102003968162) that was thin in appearance.



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

Date and Time: 7/27/2022 1:00 PM

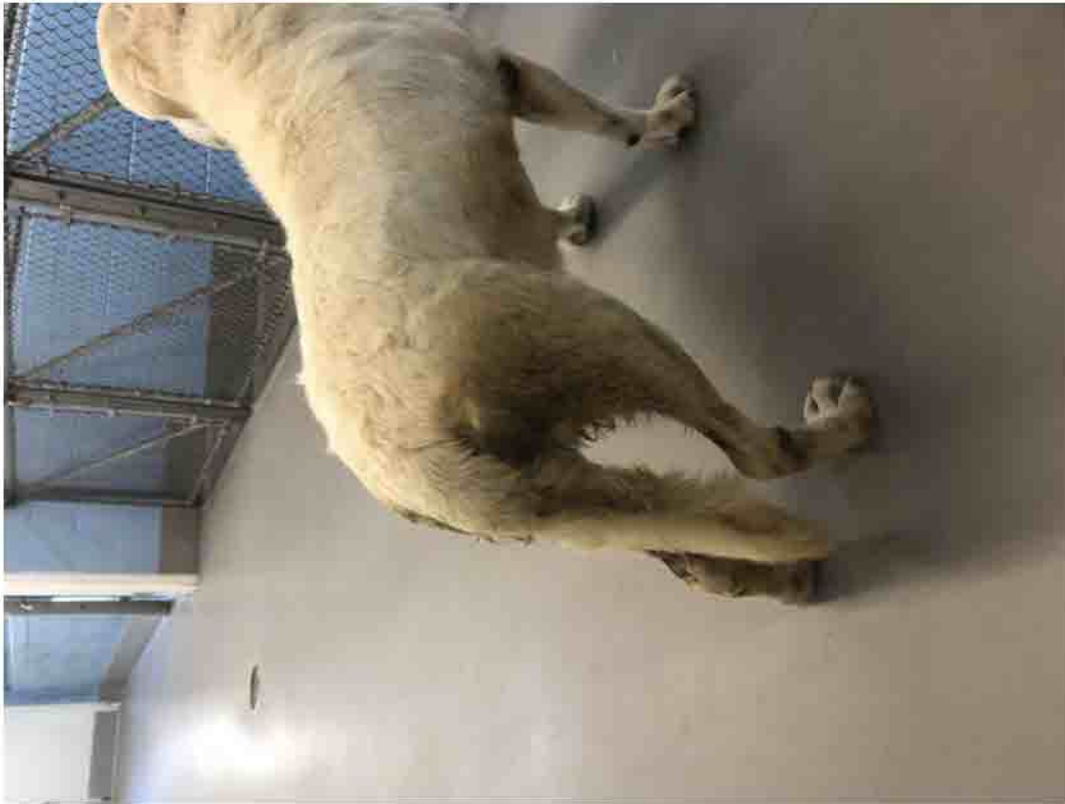
Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The Redbone Coonhound (Microchip # 98102003968162) that was thin in appearance.

Exhibit 3



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The yellow male Labrador Retriever (Microchip # 985112004242042) that had dropped hips and struggled to stand.



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

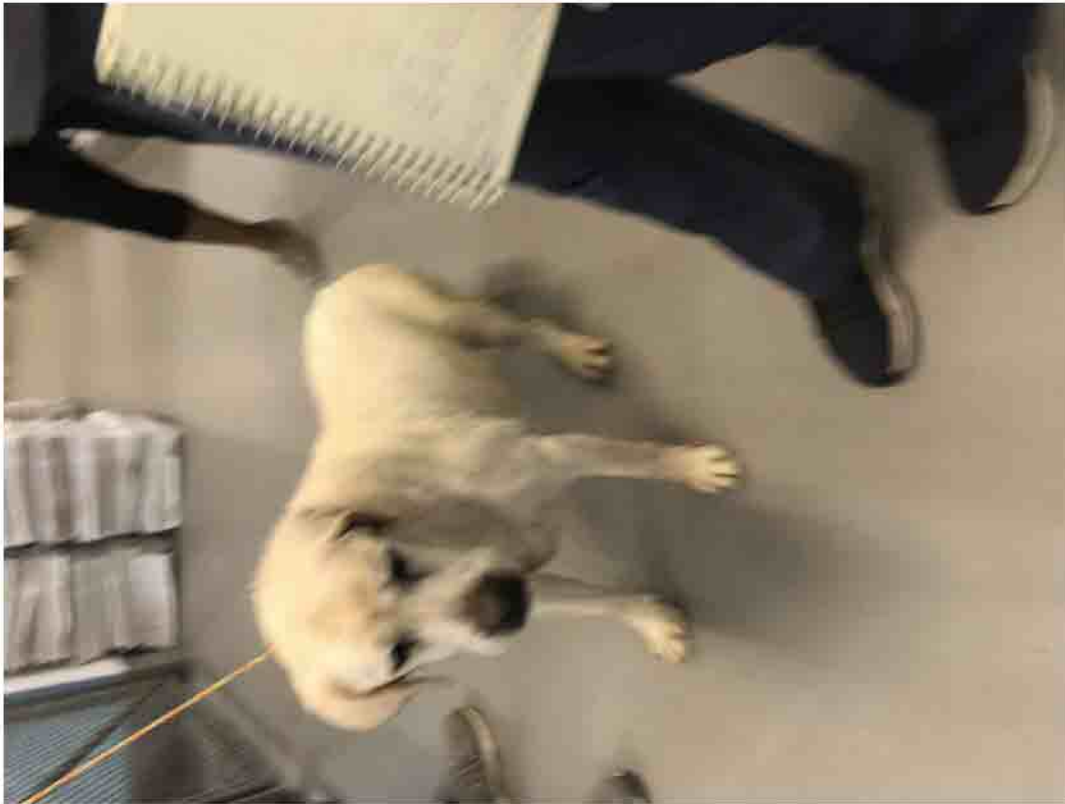
Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The yellow male Labrador Retriever (Microchip # 985112004242042) that had dropped hips and struggled to stand.



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The yellow male Labrador Retriever (Microchip # 985112004242042) that had dropped hips and struggled to stand.



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The yellow male Labrador Retriever (Microchip # 985112004242042) that had dropped hips and struggled to stand.



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

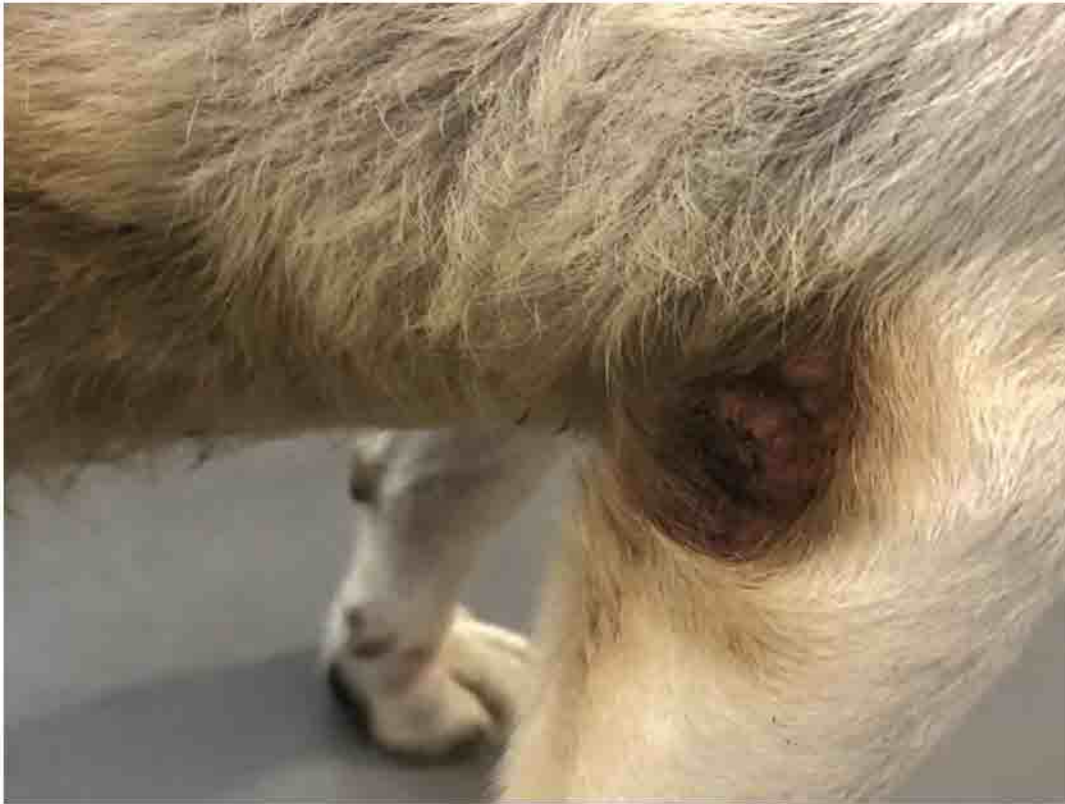
Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The yellow male Labrador Retriever (Microchip # 985112004242042) that had dropped hips and struggled to stand.



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The yellow male Labrador Retriever (Microchip # 985112004242042) that had dropped hips and struggled to stand.

Exhibit 4



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The black female Labrador Retriever (Microchip # 956000004042894)with thickened ears extending into the ear canal.



CFR:2.33(b)(2)

Photographer: Stephanie Mayard

Certificate: 64-R-0102

Date and Time: 7/27/2022 1:00 PM

Legal Name: BLUE RIDGE KENNEL

Inspection No: 2016090000807048

Facility Name: BLUE RIDGE KENNEL

Description: The black female Labrador Retriever (Microchip # 956000004042894)with thickened ears extending into the ear canal.

Exhibit 5



Inspection Report

Blue Ridge Kennel
P.O. Box 1207
Wetumpka, AL 36092

Customer ID: **928**
Certificate: **64-R-0102**
Site: 001
BLUE RIDGE KENNEL

Type: FOCUSED INSPECTION
Date: 12-OCT-2022

2.33(b)(3)

Repeat

Attending veterinarian and adequate veterinary care.

Three dogs had medical issues that had not been observed by facility staff or communicated to the Attending Veterinarian (AV).

***A 10-year-old yellow Labrador dog ("Showboat", microchip #900215003196826) has an approximately 1-inch diameter raised round soft lump on the right hind foot, located midway between the toes and the ankle (hock) joint. The lump is pink and there is some hair loss on the surface. The kennel manager stated that she had observed this lump and had cleaned and treated it with topical antibiotic, but had not contacted the Attending Veterinarian.

***A 9-year-old female yellow Labrador dog ("Sunny", microchip #965000005267139) has two lumps on her feet. On the right front foot, on the second to inner most toe, there is a ½ inch diameter, round, hairless, pink and black swelling. On the left hind foot, on the inner most toe, there is a ½ inch diameter, round, hairless, pink and black swelling. The kennel manager stated that they had seen these two lumps before but had not notified the attending veterinarian.

***A 5-year-old male yellow Labrador dog ("Burger", microchip # 900215003196988) has an approximately ½ inch diameter raised round pink hairless mass on the left front foot, located near the base of the inner toes. This had not been previously observed by the kennel manger.

Daily observation of animals for health or behavior problems is essential for the prompt identification and treatment of

Prepared By: DIANA CARE

USDA, APHIS, Animal Care

Date:
18-OCT-2022

Title: VETERINARY MEDICAL
OFFICER

Received by Title: Facility Representative

Date:
18-OCT-2022



Inspection Report

these issues. Animals who have problems that are not promptly identified by the facility and conveyed to the attending veterinarian may suffer from discomfort, pain, disease progression, and even death.

Correct by ensuring that daily observations are conducted on all animals, that abnormalities are reported to the Attending Veterinarian promptly.

3.13(b)(2)

Veterinary care for dogs.

Multiple dogs had medical issues that had been identified by facility personnel but had not been recorded in the animal's medical records.

***A 7-year-old female Weimaraner ("Pearl" microchip #956000004032360) has an approximately 1.5-inch diameter firm round mass under the last two nipples on the right side of her abdomen, located near the inner right thigh. The kennel manager stated that she had observed this mass recently and had told the AV about it, but this health issue was not documented in the dog's medical records.

***An 11-year-old female Vizsla ("Shakira", microchip #985112005668912) has an approximately 1.5 inch diameter soft round lump on the right hind limb in the thigh area on the outside of the leg. The kennel manager stated that she had observed this lump before and had contacted the AV about it, but there is no documentation of this observation or any communication with the AV in the medical record.

***A 9-year-old female yellow Labrador dog ("Sunny", microchip #965000005267139) has two lumps on her feet. On the right front foot, on the second to inner most toe, there is a 0.5 inch diameter, round, hairless, pink and black swelling. On the left hind foot, on the inner most toe, there is a 0.5 inch diameter, round, hairless, pink and black swelling. The kennel manager stated that they had seen these two lumps before but there is nothing about these lumps documented in the dog's medical record.

Complete and accurate medical records are essential for animal health and welfare. These records capture information

Prepared By: DIANA CARE

USDA, APHIS, Animal Care

Date:
18-OCT-2022

Title: VETERINARY MEDICAL
OFFICER

Received by Title: Facility Representative

Date:
18-OCT-2022



Inspection Report

about health problems found, instructions from the attending veterinarian, treatment plans, and test results. Records allow for continuity of care when staffing or routines change, and eliminates confusion about an animal's past or current medical issues.

Correct by 10/14/22 by ensuring that medical records include all required elements under the Animal Welfare Act, including documentation of problems identified, treatment plans, and treatments administered.

3.13(b)(3)

Repeat

Veterinary care for dogs.

The medical records for numerous dogs did not include information about treatments administered or dates of administration:

***Medical records show that a 10-year-old neutered male Vizsla ("Pongo", microchip #985112005668866) was examined by the Attending Veterinarian (AV) on 09/30/22 due to weight loss (records show this dog was 41 lbs at time of exam, body condition score 3/9 recorded by the AV). The dog was prescribed a dewormer (Panacur) for 5 days (along with other instructions). The kennel manager stated that the Panacur was given to the dog as prescribed for 5 days, but these treatments are not recorded in the dog's medical record. The kennel manager stated that they subsequently contacted the AV and was instructed to give Flagyl (metronidazole) to the dog daily until the stools were firm. These instructions are not recorded in the dog's medical record and any doses of metronidazole given to the dog are also not recorded in the medical record.

***Medical records show that a 5-year-old male yellow Labrador dog ("Burger", microchip # 900215003196988) was examined by the AV on 09/30/22 for weight loss (approximately 25% of body weight lost over the preceding 5 months) and was prescribed a dewormer (Panacur) for 5 days and an antibiotic (Metronidazole) for 10 days. The kennel manager stated that these medications were given to the dog as prescribed for the required length of time, but these treatments are not recorded in the dog's medical record.

Prepared By: DIANA CARE

USDA, APHIS, Animal Care

Date:
18-OCT-2022

Title: VETERINARY MEDICAL
OFFICER

Received by Title: Facility Representative

Date:
18-OCT-2022



Inspection Report

***Medical records show that an 11-year-old female Golden Retriever ("Amanda", microchip #985112004242013) and a 12-year-old male Golden Retriever ("Rio", microchip #956000005266129) were both examined by the AV on 09/30/22 for ear issues and both were prescribed Zymox, Benadryl, and Fish oils for a treatment. The kennel manager stated that she had not received these medications yet from the AV, but that she had been cleaning both dogs ears weekly with diluted vinegar. The AV confirmed that he approved this treatment whilst awaiting the other medications. No record of the vinegar treatments are recorded in either of the animal's medical records.

***According to medical records, a female 10-year-old male German Shorthair Pointer dog ("Annie", microchip #985112003820467) was examined by the AV on 10/04/22 and was prescribed antibiotics (doxycycline) and cough suppressant ("cough tabs"). The kennel manager stated that these medications were given to the dog as prescribed for the required length of time, but these treatments are not recorded in the dog's medical record.

Recording the names and dates of all treatments given is essential for ensuring the provision of adequate medical care for dogs.

Correct by ensuring that the names and dates of all treatments given are recorded in medical records for animals.

This inspection was conducted with the kennel manager, and the exit interview was conducted with the kennel manager and facility consultant.

Additional Inspector: TRACIE GUY, Veterinary Medical Officer.

Prepared By: DIANA CARE

USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL
OFFICER

Date:
18-OCT-2022

Received by Title: Facility Representative

Date:
18-OCT-2022



Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
928	64-R-0102	001	BLUE RIDGE KENNEL	12-OCT-2022

Count	Scientific Name	Common Name
000093	<i>Canis lupus familiaris</i>	DOG ADULT
000093	Total	

Exhibit 6



Inspection Report

Blue Ridge Kennel
P.O. Box 1207
Wetumpka, AL 36092

Customer ID: **928**
Certificate: **64-R-0102**
Site: 001
BLUE RIDGE KENNEL

Type: ROUTINE INSPECTION
Date: 14-DEC-2022

2.33(b)(3) **Direct** **Repeat**
Attending veterinarian and adequate veterinary care.

Three dogs were extremely thin, but their condition had not been recognized by the facility or communicated to the attending veterinarian.

An adult male black Labrador dog "Preston" (microchip #956000012520826, age 1 year 10 months) was very thin. When viewed from the back and side, the ribs, backbone and hip bones were clearly visible. In addition, an abdominal tuck and prominent waist were observed. There was muscle loss in the forehead area. This dog's medical record shows no new entries since 05/26/22. This dog is not included in the facility's list of dogs who are given a supplemental feeding in the evening, and the employee who does supplemental feedings confirmed this dog is not on the list to receive additional food. According to facility records, the dog has lost 3.8 lbs since October: the facility document "December weights", this dog weighed 63.4 lbs, and on 10/30/22, the document "October weights" shows this dog weighed 67.2 lbs.

An adult female Weimaraner dog "Star" (microchip # 98112004242291) is very thin. When viewed from the back and side, the ribs, backbone and hip bones were clearly visible. In addition, an abdominal tuck and prominent waist were observed. This dog's medical record does not list a recent inspection with last entries for a dental prophylaxis treatment with a complete blood count and serum biochemistry on June 17, 2022. This dog is not included in the facility's list of dogs who are supposed to receive supplemental feeding in the evening, and the employee who does supplemental feedings

Prepared By: DIANA CARE
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL OFFICER

Date:
15-DEC-2022

Received by Title: Facility Representative

Date:
15-DEC-2022



Inspection Report

confirmed this dog is not on the list to receive additional food. This dog weighed 44.4 lbs according to the facility's weight log dates 10/30/22. On the document "December weights" this dog is reported as 43 lbs.

An 11-year-old adult female Vizsla dog "Shakira" (Microchip # 985112005668912) is very thin. When viewed from the back and side, the ribs, backbone and hip bones were clearly visible. In addition, an abdominal tuck and prominent waist were observed. This dog's medical record that the dog was last seen by the Attending Veterinarian in October 2022 for a lump on the hind leg. This dog is not included in the facility's list of dogs who are supposed to receive a second, supplemental feeding in the evening, and the employee who does supplemental feedings confirmed this dog is not on the list to receive additional food. Recent weight logs from the facility show that this dog has remained at around 40 lbs for the past few months, but this dog has lost a large amount of muscle mass since the previous inspection.

Dogs who are severely underweight may suffer from hunger, stress, discomfort resting on hard surfaces, difficulty maintaining body temperature, and poor absorption of vitamins. Dogs who are losing weight or losing muscle mass may have serious underlying health conditions such as parasites or cancer, which can cause the animal to experience discomfort or disfunction of body systems.

Correct by providing adequate veterinary care to ensure proper nutrition, body weight, and body condition for all dogs, including the timely identification of dogs losing body weight, prompt communication with the AV, and follow-up with the attending veterinarian when dogs do not improve after treatments or interventions.

2.38(f)(1) Critical

Miscellaneous.

A 10-year-old male German Short Hair Pointer dog ("Rugby" microchip # 885122003819948) was in a dog fight on 10/24/2022, which caused a wound on the left side of the lower back/kidney area. According to a facility employee, the fight occurred when the dog was placed in an exercise yard with another dog. "Rugby" received prompt medical attention

Prepared By: DIANA CARE

USDA, APHIS, Animal Care

Date:
15-DEC-2022

Title: VETERINARY MEDICAL
OFFICER

Received by Title: Facility Representative

Date:
15-DEC-2022



Inspection Report

including sutures, placement of a drain in the wound, and antibiotic therapy. A second procedure was performed on 11/02/22 to clean up the wound and a second course of antibiotics was prescribed. At the time of the inspection, an approximately 4-inch long by 0.75 inch wide pink and brown hairless area was visible where the wound had been. Dogs who are physically harmed by other dogs experience pain and distress, and may become infected. Injuries inflicted by one animal upon another may cause pain, stress, debility, or death. The facility must ensure that dogs handled in a manner that does not result in physical harm, and that dogs in the same pen or enclosure are compatible with one another. Corrected at the time of inspection.

3.6(a)(2)(ix)

Repeat

Primary enclosures.

Many outdoor areas of sheltered (indoor/outdoor) kennels have concrete floors that are cracked. In Building One, on the side of the building closest to the road, every outdoor run had a cracked floor of various widths. Two of these cracks were also associated with chipping of the concrete such that the underlying non-sealed rock aggregate was exposed. In Building 3, on the right side, every outdoor run had a cracked floor. Due to a reported unavailability of materials which has resolved, repairs have been made to 11 affected kennels with continue repairs in progress and planned. Cracks in the floor and unsealed areas resulting from them may harbor organic material, parasites or germs that can be harmful to the dogs, and can be difficult to clean and sanitize. Correct by maintaining surfaces, including floors, that can be properly cleaned and sanitized.

This inspection and exit interview were conducted with the kennel manager and a consultant affiliated with the registrant.

Prepared By: DIANA CARE

USDA, APHIS, Animal Care

Date:
15-DEC-2022

Title: VETERINARY MEDICAL
OFFICER

Received by Title: Facility Representative

Date:
15-DEC-2022



Inspection Report

Additional Inspectors:

Kristina D'Apice, VETERINARY MEDICAL OFFICER

Michael Schnell, VETERINARY MEDICAL OFFICER

Prepared By: DIANA CARE

USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL
OFFICER

Date:
15-DEC-2022

Received by Title: Facility Representative

Date:
15-DEC-2022



Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
928	64-R-0102	001	BLUE RIDGE KENNEL	14-DEC-2022

Count	Scientific Name	Common Name
000093	<i>Canis lupus familiaris</i>	DOG ADULT
000093	Total	

Exhibit 7



Inspection Report

BLUE RIDGE KENNEL
P O BOX 1207
WETUMPKA, AL 36092

Customer ID: **928**
Certificate: **64-R-0102**
Site: 001
BLUE RIDGE KENNEL

Type: ROUTINE INSPECTION
Date: 31-AUG-2021

2.31(c)(3)

Repeat

Institutional Animal Care and Use Committee (IACUC).

The Institutional Officer is still creating the reports for the IACUC and the report to himself was lacking any minority views or a statement saying that there were none to report. The IACUC remains responsible for the evaluations and reports as required by the Act and regulations. The reports shall be reviewed and signed by a majority of the IACUC members and must include any minority views. The reports must contain a description of the nature and extent of the research facility's adherence to this subchapter, must identify Specifically any departures from the provisions of title 9, chapter I, subchapter A – Animal Welfare, and must state the reasons for each departure. The reports must distinguish significant deficiencies from minor deficiencies. A significant deficiency is one which, with reference to Subchapter A, and, in the judgement of the IACUC and the Institutional Official, is or may be a threat to the health or safety of the animals. Failure to continuously provide complete and thorough semiannual reports to the Institutional Officer hinders the facility's ability to adequately address animal welfare concerns appropriately.

2.32(a)

Repeat

Personnel qualifications.

Conversations with the Principal Investigator and IACUC members, and review of IACUC/facility records and the October 2020 inspection report indicates that the staff/member's lack knowledge about the Animal Welfare Act and protocol review

Prepared By: ANNETTE CHAPMAN
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL
OFFICER

Date:
22-FEB-2022

Received by Title: IACUC Representative

Date:
22-FEB-2022



Inspection Report

process. Adequate knowledge is necessary to ensure that the facility remains compliant with the Animal Welfare Act Regulations and Standards and to ensure the health and well-being of the animals. The facility must ensure that the veterinarians, principal investigator and facility staff are provided training and instruction on their duties under the Animal Welfare Act.

2.33(a)(1)

Attending veterinarian and adequate veterinary care.

During the April inspection, conversations with the attending veterinarian led to scheduling a visit to reassess the thyroid of several dogs with weight issues. The AV stated he would conduct examinations soon after the inspection. The AV had not visited the facility since the previous inspection to reassess or examine any animals of concern. To get clarification on the animals health at the facility because the Program of Veterinary Care nor medical records showed any evidence or notes on any recent examinations, an attempt was made to visit the AV at the address on the PVC. The address led us to an old site for the clinic and directed inspectors to a new location which was not detailed anywhere or updated on the PVC. The AV didn't keep his scheduled visit with the facility and the Program of Veterinary Care was not updated with the current location of the part-time veterinarians information. It is important to update the PVC with accurate information to assist the facility in getting the animals adequate care in the manner the program of veterinary care prescribes. In the event the AV doesn't keep his scheduled visit it is up to the facility to reschedule to ensure the animals are being evaluated. Correct from this day forward.

2.33(a)(2)

Attending veterinarian and adequate veterinary care.

During the inspection a dog was observed with a bite wound on the right front paw that was identified by the facility on August 20, 2021. The Institutional Officer/Principal Investigator observed the wound on August 30, 2021. On August 31, 2021 the IO/PI ordered the Chair to give medications that should only be prescribed by the attending veterinarian. The

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Title: VETERINARY MEDICAL
OFFICER

Date:
22-FEB-2022

Received by Title: IACUC Representative

Date:
22-FEB-2022



Inspection Report

Chair was instructed to wash the wound with chlorohexidine and give cephalexin and rimadyl by mouth. Once the USDA inspectors discovered the wound the AV was then contacted. It was then that the IO/PI arranged for the dog to be transported to a local vet and not the AV. The local clinic that they used did not have a PVC on file. The research facility does not allow the AV appropriate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use for the well-being of the animals. Correct from this day forward.

2.33(b)(2) Direct

Attending veterinarian and adequate veterinary care.

While examining the dogs there were several dental issues and dental cleanings had not been conducted. Inspectors examined 10 dogs on hand. There were 6 dogs with a moderate amount of tarter build-up and one dog with severe tarter accompanied with a broken tooth close to the base near the gumline. There weren't any preventable measures in place to ensure healthy teeth for the animals and there was a lack of dental attention evident by the excessive tarter build-up and reddened gums observed. The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries must be made available to ensure that adequate veterinary care is received. Correct from this day forward.

2.33(b)(3) Direct

Attending veterinarian and adequate veterinary care.

The facility conducts many observations daily between the facility employees and the IACUC Chair. At the time of the inspection veterinary care issues found at the facility needed immediate medical attention and currently the Chair is not allowed to call the attending veterinarian directly in a timely manner to communicate the health concerns of the animals. The facility employees and Chair have been instructed to communicate all of the concerns directly to the Institutional Officer/Principal Investigator and not to call the AV directly. Health concerns aren't being communicated in a direct and timely fashion and many of the animals' conditions are going unattended and are never addressed. There were three dogs at the time of the examination that needed immediate attention, not including a dog with a bite wound to the paw that

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Title: VETERINARY MEDICAL
OFFICER

Date:
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Received by Title: IACUC Representative

Date:
22-FEB-2022



Inspection Report

was identified a week prior but received veterinary care when inspectors arrived.

"Cotton" is a 11 year old neutered yellow labrador retriever with an open wound to the left side of his face. The left ear was also full of dark-colored debris completely covered and spilling out from beneath it. The dog was recognized by its excessive head shaking. The Chair has been noting this for a while and he had not received any veterinary care.

The second dog was "Daisey" a 13 year old female pointer with her left lower canine tooth that had broken down to the base of the gum leaving it exposed. She also had excessive tartar and reddened gums. This injury went unnoticed and the AV had not seen the dog nor had it been reported to the IO/PI or the AV.

The third dog was "Kiss" a 12 year old female chocolate labrador retriever which had masses on the face, leg and bilateral masses on the abdomen area. There was a raised mass protruding from the left side of her face. On the left side of her body there was a subcutaneous mass about 3 in. in diameter. There was a subcutaneous mass near her right nipple in the abdominal area that was about 2 in. in diameter. Also a subcutaneous mass that was located on the left front leg that was about 2 in. in diameter. Under her neck there were several subcutaneous masses, nodular in shape, that were smaller than the others noted. These masses had all been observed and reported by the Chair to the IO but there weren't any notes from the attending veterinarian.

Additionally, there was another dog, already identified by the facility, to be transported to the local veterinarian on August 31, 2021 was "Isa" a female rottweiler had a bite wound to the right front paw. There were two visible puncture wounds on the bottom of the paw and the skin and tissue around the wound was reddened and appeared raw and infected. The dog

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Title: VETERINARY MEDICAL
OFFICER

Date:
22-FEB-2022

Received by Title: IACUC Representative

Date:
22-FEB-2022



Inspection Report

was constantly licking the wound during the inspection.

Cotton, Daisey and Kiss were recognized by inspectors to need immediate care and they were transported to the AV September 1, 2021 in the afternoon. Direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the AV. Correct immediately.

2.35(b)

Recordkeeping requirements.

There were 16 dogs that did not have any acquisition forms required. 2 dogs didn't have any acquisition or health certificates. 3 dogs had health certificates but didn't have any acquisition forms. One Rottweiler did not have any papers showing its origination. There was an incomplete acquisition form that indicated 10 yellow labs were received and no other information provided. Every research facility shall make, keep, maintain records or forms which fully and correctly disclose the following information concerning each live dog purchased or otherwise acquired, owned, held, or otherwise. Correct from this day forward.

3.1(a)

Repeat

Housing facilities, general.

The fencing near the walkway of the most eastern exercise pen has a gap approximately 9 inches between it and the walkway and 9 inches from the ground which is large enough for a dog to get wedged. This may allow an animal to get caught under the fencing which could potentially harm the animal. There was also a hole in the fence for a turnout pen adjacent to the patio runs on the main building that was about 5 by 4 fencing links in size. This could also allow an animal to get wedged in the fence. The facilities must be maintained and kept in good repair to keep out unwanted animals and to prevent injury.

3.11(d)

Prepared By: ANNETTE CHAPMAN
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL
OFFICER

Date:
22-FEB-2022

Received by Title: IACUC Representative

Date:
22-FEB-2022



Inspection Report

Cleaning, sanitization, housekeeping, and pest control.

During the inspection throughout the facility there were an excessive number of flies. In the runs of the animals especially those with open wounds there were flies irritating the dogs. An effective program for the control of insects, external parasites affecting dogs, and birds and mammals that are pests, must be established and maintained to promote the health and well-being of the animals and reduce contamination by pests in animal areas. Correct by October 10, 2021.

3.12

Employees

There were several deficiencies involving the maintenance, husbandry, vet care and overall IACUC functions that it is evident that there aren't enough employees to carry out the responsibilities of the facility and committee. Currently there are two fulltime employees with one person conducting mainly enrichment activities for the dogs. One fulltime employee of the facility is also the Chair of the IACUC and is required to carry out daily husbandry practices, bathe 5 dogs a day, manage the facility, conduct the research study, observe vet care issues of the dogs as well as perform duties of the IACUC. Each person subject to the AWA regulations maintaining dogs must have enough employees to carry out the level of husbandry practices and care required to ensure the animals well-being and achieve adequate functioning of the facility. Correct within 45 days.

This inspection and exit interview were conducted with the IACUC representative.

Additional Inspectors:

KRISTIN NAPOLI, SUPERVISORY ANIMAL CARE SPECIALIST

Prepared By: ANNETTE CHAPMAN
USDA, APHIS, Animal Care
Title: VETERINARY MEDICAL
OFFICER

Date:
22-FEB-2022

Received by Title: IACUC Representative

Date:
22-FEB-2022



Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
928	64-R-0102	001	BLUE RIDGE KENNEL	31-AUG-2021

Count	Scientific Name	Common Name
000096	<i>Canis lupus familiaris</i>	DOG ADULT
000096	Total	



Inspection Report

BLUE RIDGE KENNEL
P O BOX 1207
WETUMPKA, AL 36092

Customer ID: **928**
Certificate: **64-R-0102**
Site: 001
BLUE RIDGE KENNEL

Type: FOCUSED INSPECTION
Date: 22-NOV-2021

2.32(a) Repeat

Personnel qualifications.

Training has not been provided to the staff and IACUC. It has been discussed during the past two inspections that it is imperative that the personnel involved in animal care and treatment are to be qualified to perform their duties. Properly trained personnel are essential for optimizing animal welfare in the research facility. The facility shall provide adequate training for the staff to proficiently carry out the duties and responsibilities to ensure that the facility remains compliant with the Animal Welfare Act.

2.35(a)(1)

Recordkeeping requirements.

Several inaccurate statements were included in the IACUC Committee meeting minutes from September 30, 2021. The minutes contained an inaccurate record of the attendance by stating that six people were present and only one departed early. Facility personnel confirmed there were only four people present at the meeting with one early departure. Additionally, the minutes contain a description of financial discussions that facility personnel confirmed did not take place at this meeting. Accurate meeting minutes, including accurate records of attendance, are necessary to ensure that the IACUC has met the responsibility of assembling a quorum and to ensure accountability of the IACUC during meeting

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Title: VETERINARY MEDICAL
OFFICER

Date:
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Received by Title: IACUC Representative

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04-APR-2022



Inspection Report

deliberations. Correct by ensuring that the IACUC maintains accurate records of attendance, activities of the Committee, and all Committee deliberations.

3.1(a)

Repeat

Housing facilities, general.

In one of the turnout pens adjacent to the patio runs of the main building located at the bottom of the chain-link fence there was a hole about 7 inches high and 17 inches wide. The facility has made attempts to correct it but the patch work is failing, and the dogs are pulling it up to get under it. This could allow an animal to get wedged or injured by the pointy ends of the fencing. The facility must maintain the facility in good repair to prevent the animals from injury.

This inspection and exit interview were conducted with IACUC representative.

Prepared By: ANNETTE CHAPMAN

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Title: VETERINARY MEDICAL
OFFICER

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Date:
04-APR-2022



Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
928	64-R-0102	001	BLUE RIDGE KENNEL	22-NOV-2021

Count	Scientific Name	Common Name
000045	<i>Canis lupus familiaris</i>	DOG ADULT
000002	<i>Canis lupus familiaris</i>	DOG PUPPY
000047	Total	