



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

David T. Marshall, DVM
State Veterinarian

August 22, 2014

Ms. Margie Bain
The Pet Parlor
807 West Fleming Drive
Morganton, NC 28655

UPS Tracking No: 1Z210617A853369506

Notice of Warning

Re: Violation of Title 02, N.C. Administrative Code Chapter 52J, Section .0210 & G.S. 19A-30

Pet Shop: The Pet Parlor
License No. 10192

Dear Ms. Bain:

This office's inspector, Ms. Lindsey Lloyd, inspected your facility on August 19, 2014, and determined that your boarding kennel may be in violation of the N.C. Animal Welfare Act and regulations. On that date she found that you had neglected to remedy substandard conditions pointed out to you in the previous inspection:

- 1) The kennel area floor downstairs remains unsealed and has holes that trap water and debris.
- 2) There were two open containers of food in the downstairs main kennel area; and
- 3) The concrete steps to the lower play area remain damaged and unsealed.

Ms. Lloyd also found new substandard conditions:

- 4) Enclosures 3 and 17 have damaged wire;
- 5) There is a build-up of hair and debris on the bottom rail of the enclosure gates on five of the smaller enclosures in the main kennel area.

Based on the results of the above visit, you may have violated sections of the Animal Welfare Act and provisions in Chapter 52J of the N.C. Administrative Code (enclosed). Please provide the Animal Welfare Section with a written plan for bringing your facility into compliance, stating the length of time you will need to do so. You may provide your plan by letter or e-mail sent to that office.

This letter shall constitute a **WARNING**. If a future violation of these statutes or regulations occurs, it could result in disciplinary action against your facility's certificate of registration

This letter shall constitute a **WARNING**. If a future violation of these statutes or regulations occurs, it could result in disciplinary action against your facility's certificate of registration pursuant to G.S. 19A-30 or the assessment of a civil penalty of up to \$5,000.00 per violation under N.C. Gen. Stat. § 19A-40.

Sincerely,



David T. Marshall, DVM
North Carolina State Veterinarian
Acting Director, Animal Welfare Section

cc: Barry Bloch, Assistant Attorney General
Enclosure

02 NCAC 52J .0201 GENERAL

(d) Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin and insects. All open bags of food shall be stored in airtight containers with lids. Refrigeration shall be provided for supplies of perishable food.

*History Note: Authority G.S. 19A-24;
Eff. April 1, 1984;
Amended Eff. January 1, 2005.*

02 NCAC 52J .0202 INDOOR FACILITIES

(d) Interior building surfaces of indoor facilities with which animals come in contact shall be constructed and maintained so that they are impervious to moisture, and can be readily sanitized.
(e) A suitable method of drainage shall be provided to rapidly eliminate excess water from an indoor housing facility. If closed drain systems are used, they shall be equipped with traps and installed to prevent odors and backup of sewage. The drainage system shall be constructed to prevent cross-contamination among animals.

*History Note: Authority G.S. 19A-24;
Eff. April 1, 1984;
Amended Eff. January 1, 2005.*

02 NCAC 52J .0203 OUTDOOR FACILITIES

(a) In outdoor facilities that are subject to the Animal Welfare Act, primary enclosures and walkways with which an animal comes in contact shall be constructed of sealed concrete or other surfaces impervious to moisture. Gravel may be used if maintained at a minimum depth of six inches and kept in a sanitary manner.

*History Note: Authority G.S. 19A-24;
Eff. April 1, 1984;
Amended Eff. March 23, 2009; January 1, 2005.*

02 NCAC 52J .0204 PRIMARY ENCLOSURES

(a) Primary enclosures shall be constructed so as to prevent contamination from waste and wastewater from animals in other enclosures. All surfaces with which an animal comes in contact shall be impervious to moisture. For primary enclosures placed into service on or after January 1, 2005, no wood shall be within the animal's reach. For primary enclosures in use in a licensed or registered facility prior to January 1, 2005, any damaged wood must be replaced in a manner that does not permit contact with wood by the animal.

History Note: Authority G.S. 19A-24;

Eff. April 1, 1984;

Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0207 SANITATION

(a) Waste shall be removed from primary enclosures and exercise areas to prevent contamination of the dogs or cats contained therein and to reduce disease hazards and odors. Enclosures and exercise areas for dogs and cats must be properly cleaned a minimum of two times per day. The animal must be able to walk or lie down without coming in contact with any waste or debris. When a hosing or flushing method is used for cleaning an enclosure, dogs or cats contained therein shall be removed during the cleaning process, and adequate measures shall be taken to protect the animals in other such enclosures from being contaminated with water and other wastes.

(c) Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this Rule. Premises shall remain free of accumulations of trash, junk, waste products, and discarded matter. Weeds, grasses, and bushes must be controlled so as to facilitate cleaning of the premises and to improve pest control, and to protect the health and well-being of the animals.

History Note: Authority G.S. 19A-24;

Eff. April 1, 1984;

Amended Eff. January 1, 2005; April 1, 1985.