



Steven W. Troxler  
Commissioner

North Carolina Department of Agriculture  
and Consumer Services  
*Veterinary Division*

David T. Marshall, DVM  
State Veterinarian

August 25, 2010

Ms. April Lowry  
Robeson County Animal Shelter  
205 Landfill Road  
St. Pauls, North Carolina 28384

**CERTIFIED MAIL  
RETURN RECEIPT  
REQUESTED  
7006 2760 0003 0472 2174**

Re: WARNING LETTER  
Request for Remediation Schedule for Correcting Animal Shelter Deficiencies

Dear Ms. Lowry:

As you are aware, your shelter facility was recently inspected by a member of the staff of the Animal Welfare Section of the North Carolina Department of Agriculture and Consumer Services. This section is responsible for enforcing state laws and regulations applicable to boarding kennels, pet shops and public and private animal shelters. You have received a copy of those laws and the rules establishing the minimum standards for conditions and practices in animal shelters in North Carolina.

The recent inspection on August 12, 2010, which was a follow up to an inspection conducted on July 29, 2010, indicated to the Section that your facility has failed to comply with the applicable laws and regulations, as described in the enclosed copies of its most recent inspection report. The inspector found the following deficiencies:

- 1) Deficient lighting in the cool cell area made it difficult to view the dogs housed there;
- 2) Plywood surfaces in the cat room remains exposed, requiring a water-tight covering;
- 3) In the dog quarantine area there was chain link in need of repair;
- 4) Five dogs lacked resting platforms; there must be a resting platform for each dog in an enclosure
- 5) Cat cages lacked adequate space, even though the inspector had already informed your staff that one cage was too small for four six-month old cats;
- 6) Flooring needed sealing in the expansion joints;
- 7) Chewed up rubber and plastic food and water bowls need to be replaced;
- 8) Signs of rodent infestation were found in the euthanasia room;
- 9) Dry dog food was left out in an open bag instead of sealed in a covered container;
- 10) Even though there were two community service workers in the shelter, cleaning was not completed by 3:00 p.m., indicating that this shelter needs more experienced personnel;
- 11) Cooling equipment was not being adequately maintained, allowing ambient temperatures in the dog areas to rise to nearly unacceptable levels;
- 12) The inspector found animals that were visibly sick and had not received veterinary care; once sick kitten had been in the shelter since 7/30/10 without treatment; on puppy had been present in the shelter since 8/4/10 without treatment.

Failure to maintain the facility in good condition can constitute violation of the following:

**02 NCAC 52J .0201 GENERAL**

- (a) Housing facilities for dogs and cats shall be structurally sound and maintained in good repair to protect the animals from injury, contain the animals and restrict the entrance of other animals and people.
- (b) All light fixtures and electrical outlets in animal areas shall be in compliance with the State Building Code.
- (c) Facilities shall have reliable and safe electric power as necessary to comply with the Animal Welfare Act.
- (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.
- (e) Provisions shall be made for the daily removal and disposal of animal and food waste, bedding and debris from the housing facility in accordance with local ordinances, to assure facility will be maintained in a clean and sanitary manner.
- (f) Hot and cold running, potable water must be available. Facilities such as washroom, basin or sink shall be provided to maintain cleanliness among animal caretakers, animals, and animal food and water receptacles.
- (g) Each facility shall have the ability to confirm ambient temperature.
- (h) A separate five-foot perimeter fence is required if any animals have access to an outdoor enclosure, including unsupervised exercise areas.
- (i) An adequate drainage system must be provided for the housing facility.
- (j) All areas of a facility are subject to review or inspection by North Carolina Department of Agriculture and Consumer Services employees during normal business hours (8:00 a.m. through 5:30 p.m. Monday through Friday).
- (k) All animals in a facility are subject to the requirements of the Animal Welfare Act, regardless of ownership.
- (l) A licensee or registrant shall comply with all federal, state and local laws, rules and ordinances relating to or affecting the welfare of dogs and cats in its facility.
- (m) No dog or cat shall be in a window display except during business hours and then only in compliance with standards set forth in this Section.

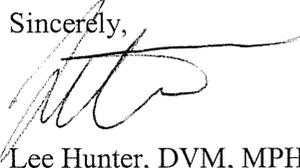
Each of these deficiencies can constitute grounds for action against the shelter's registration certification, up to and including revocation of that certification. This letter constitutes a **WARNING** that future deficiencies of like these will result in disciplinary action by the Department.

Please note that Drs. Kelly Ferris and Brenda Stevens at the North Carolina State University School of Veterinary Medicine are available for consultations on shelter animal health issues. If you have such an issue come up, one or the other can be contacted at (919) 513-6786.

Would you please provide the Animal Welfare Section with the remedial steps to be taken to solve these problems and the date when you expect that the shelter will have done so? We would appreciate a reply to this letter by no later than ten days from the date of receipt. Please feel free to respond directly to the Animal Welfare Section by fax or by letter. The address and fax number appears on the enclosed report.

If you have any questions about the applicable law or the shelter's status, please feel free to speak with me.

Sincerely,



Lee Hunter, DVM, MPH  
Director, Animal Welfare Section

Copy to: Barry H. Bloch, Assistant Attorney General, NCDOJ  
Pat Sholar, Animal Health Technician, NCDA&CS  
David T. Marshall, State Veterinarian, NCDA&CS  
Howard Isley, Assistant Commissioner, NCDA&CS

**Type of Inspection**  
 New   
 Annual   
 Follow-Up  7/29/10  
 (Prev. Inspection Date)  
 Complaint   
 Courtesy   
 Random

NCDA&CS, VETERINARY DIVISION  
 ANIMAL WELFARE SECTION  
 1030 MAIL SERVICE CENTER,  
 RALEIGH, NC 27699-1030  
 PHONE: 919/715-7111, FAX: 919/733-6431

INDOOR   
 OUTDOOR   
 BOTH

ENTERED  
8/13/10

**ANIMAL WELFARE INSPECTION**

GPS Coordinates - N: 34 79040 W: 78 90783

LICENSE #: 29  
 TYPE FACILITY: Animal Shelter (Private/Public)  Boarding Kennel  Pet Shop  Public Auction   
 BUSINESS NAME: Robeson County Animal Shelter  
 OWNER: Robeson Co. Gov.  
 ADDRESS: 205 Landfill Rd. St. Pauls, NC 28384  
 TELEPHONE: (910) 823-2200  
 VMO: None  
 COUNTY: Robeson

Number of Primary Enclosures 120 K9 24 121 Animals Present: Dogs 120 Cats 58

Inspector: Mark "X" in each box, if adequate.  
 Circle each item number, if inadequate.  
 Use NA if not applicable

**STRUCTURE**

**SANITATION**

**SPECIAL ITEMS**

- Housing Facilities  
 1. Structure & Repair  
 2. Ventilation & Temp.  
 3. Lighting  
 4. Ceiling, Wall, Floors  
 5. Storage  
 6. Water Drainage

11. Waste Disposal  
 12. Odor  
 13. Ceiling, Wall, Floors  
 14. Primary Enclosures  
 15. Equipment & Supplies  
 16. Washrooms, Sinks, Basins  
 17. Insect/Vermin Control  
 18. Building & Grounds

- Records  
 24. Description of Animals  
 25. Records/Vet Treatment  
 26. Origin/Disposition  
 27. Signature (boarding kennel)  
 28. Written permission from owner for commingling (doggie daycare)

- Primary Enclosures  
 7. Structure & Repair  
 8. Space  
 9. Ventilation & Temp.  
 10. Adequate Shelter

- HUSBANDRY  
 19. Adequate Feed/Water  
 20. Food Storage  
 21. Personnel  
 22. Ratio of 1:10 personnel to animals if >4 in primary enclosure or common area  
 23. Animals' Appearance

- Transportation  
 29. Care in Transit Discussed  
Veterinary Care  
 30. Isolation Facility  
 31. No Signs of Illness/Treated

APPROVED  CONDITIONALLY APPROVED  DISAPPROVED Date: 8/12/10 Time: 4:30pm

Inspector's Signature: [Signature] Owner/Authorized Agent's Signature: [Signature]

AW-2 Rev. 1/07 White= Office Canary= Inspector Pink= Owner

NCDA&CS, VETERINARY DIVISION  
ANIMAL WELFARE SECTION,  
1030 MAIL SERVICE CENTER,  
RALEIGH, NC 27699-1030  
PHONE: 919/715-7111, FAX: 919/733-6431

**ANIMAL WELFARE INSPECTION CONTINUATION PAGE**

LICENSE #: 29  
 TYPE FACILITY: Animal Shelter (Private/Public)  Boarding Kennel  Pet Shop  Public Auction   
 BUSINESS NAME: Robson Co. AS  
 OWNER: \_\_\_\_\_  
 ADDRESS: Cont.  
 TELEPHONE: ( ) - \_\_\_\_\_

Item Number	Explanation of Inadequacy (circled items above) And Recommendation For Compliance	Date Corrections Must Be Completed
2	ok for rep (7/29/10)	
Items Addressed/Partially Addressed:		
1-	New AC/Heat unit has been installed for the 2 cat rooms. Temp was 76° at 1:15 pm. Ventilation & Temperature much improved.	
2-	Thermometer (2) has been purchased and are on site but not installed.	
3-	Materials to cover plywood are on site but not installed.	
4-	Material to seal concrete cracks is on site but not installed.	
5-	2 Community service workers were on site working today.	
Items Still To Address:		
3)	Lighting - (cat) cell area is so dark it is difficult to view the dogs housed in these rows. Install more light in this area.	
7)	Cat Rows - Plywood still needs to be covered and made impervious to moisture. K-9 qt. area - old fence was rotting - fix all around chain link. 5 dogs did not have resting platforms at 3:00 today. Provide resting surface for all dogs.	
8)	Spacer - Inadequate spacer in cat dogs cages - refer to 7/29/10 report	
13)	Floors - Seal Cracks - use expandable sealant in the expansion joints	
15)	Chewed rubber/plastic food/water receptacle must be replaced.	
17)	Roach Control - Roach sign found in both rows today.	
20)	Food Storage - Open bag of dry dog food - store all open food in covered containers.	

APPROVED

CONDITIONALLY APPROVED

DISAPPROVED

Date 8/12/10 Time: 4:30 pm

*[Signature]*  
Inspector's Signature

*[Signature]*  
Owner/Authorized Agent's Signature

NCDA&CS, VETERINARY DIVISION  
 ANIMAL WELFARE SECTION,  
 1030 MAIL SERVICE CENTER,  
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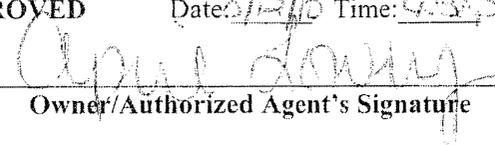
**ANIMAL WELFARE INSPECTION CONTINUATION PAGE**

LICENSE #: 29  
 TYPE FACILITY: Animal Shelter (Private/Public)  Boarding Kennel  Pet Shop  Public Auction   
 BUSINESS NAME: 1045  
 OWNER: \_\_\_\_\_  
 ADDRESS: Cart  
 TELEPHONE: ( ) \_\_\_\_\_

Item Number	Explanation of Inadequacy (circled items above) And Recommendation For Compliance	Date Corrections Must Be Completed
21)	Personnel - 2 Community service workers were on site today, but cleaning was not complete at 3:00. Shelter needs more experienced personnel.	
22)	Can cells were closed at the beginning of the inspection today. Door was painting and appeared hot. Temperature 84° at 2:50pm in the K9 run area. Cells were walked out and Temp. dropped and door appeared more comfortable. Sick puppies and kittens were observed. No vet. fr provided. Moved at shabby sun. 7/13/10 (kitten) and 8/4/10 (puppies). Vet. fr must be provided or animal euthanized if other issues are not resolved.	
23)	Refer to item 22).	
<p>Comments:</p> <p>A plastic kids pool is now on site for infant pups to be contained in.</p> <p>The problem of the power going out for extended periods of time has been discussed w/ Health Director. He has contacted Lumber Firm. Suggested personnel check on the shelter more often on the weekends.</p> <p>A bite case, old dog is on antibiotics but has not seen by the vet. Suggested shelter have vet. check this dog as it has dog bite wounds on the hind and LF leg.</p> <p style="text-align: center; font-size: 1.2em;">Re-Inspect in 30 days (calendar)</p>		

APPROVED     CONDITIONALLY APPROVED     DISAPPROVED    Date: 8/2/10 Time: 4:30pm

  
 Inspector's Signature
 

  
 Owner/Authorized Agent's Signature

AW-2    White= Office    Canary= Inspector    Pink= Owner