Steven W. Troxler
Commissioner

North Carolina Department of Agriculture and Consumer Services

Veterinary Division

David T. Marshall, DVM
State Veterinarian

October 15, 2009

Mr. Bobby Gallimore
Surry County Animal Control
172 Country Home Road
Dobson, NC 27017

CERTIFIED MAIL RETURN RECEIPT REQUESTED

7006 2760 0003 0472 1931

Notice of Warning for Failure to Comply with the NC Administrative Code
Re: Violation of Title 02, N.C. Administrative Code Chapter 52J, Section(s) .0201 et seq.

Dear Mr. Gallimore:

Mr. Gary Stamey, Animal Health Technician with the North Carolina Department of Agriculture & Consumer Services, Animal Welfare Section, Veterinary Division, conducted an inspection in your facility and discovered specific conditions and/or practices amounting to failure to comply with the requirements of 02 NCAC .0201 et seq., in violation of state law and regulations.

On 7 October 2009, Mr. Stamey visited the Surry County Animal Control at 172 Country Home Road Dobson, NC and found that your facility did not have 7 of the 18 required items in the Policy and Procedure Manual.

Based on the results of the above visit, you may have violated the following Agriculture regulation:

02 NCAC 52J .0803 ADDITIONAL CONTENTS

A certified facility's policy and procedure manual shall be kept consistent with the publications listed below and reflect the current information for each. The manual shall include:

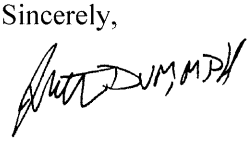
(1) A copy of the current North Carolina Animal Welfare Act and the rules in this Subchapter;
(2) A copy of the 2000 Report of the American Veterinary Medical Association Panel on Euthanasia and any future revisions, replacements, supplements or changes thereto issued by that organization;
(3) A current copy of the Euthanasia Training Manual of the Humane Society of the United States;
(4) A copy of the publication on euthanasia by the American Humane Association;
(5) A list of methods of euthanasia allowed at the shelter and the policy and procedures for each method;
(6) A list of Certified Euthanasia Technicians, the methods of euthanasia in which they have received training, and the date of training;
(7) The name, address and contact information for the veterinarian responsible for the Annual Program of Veterinary Care;
(8) The name, address and contact information for veterinarians responsible for the veterinary medical care of the animals. The contact information shall include telephone numbers for working hours, weekends, nights and holidays;

(9) Euthanasia procedure to use in emergencies, after hours, holidays and weekends;
(10) Procedures to follow if no Certified Euthanasia Technician is present and euthanasia of an animal is necessary;
(11) Methods of verifying death of an animal after a euthanasia process is performed;
(12) The name and contact information of the supplier of materials. It shall include:
(a) Bottled gas (if applicable);
(b) Manufacturer of the chamber used to euthanize animals by inhalant gas (if applicable);
(c) Injectable euthanasia solution;
(d) Tranquilizer or anesthetic solution;
(13) Original of U.S. Drug Enforcement Administration certification permitting the use of controlled substances;
(14) A material safety data sheet for any chemical or gas used for euthanasia in that shelter;
(15) A material safety data sheet for any anesthetic or tranquilizer used in that facility;
(16) Notice of the signs and symptoms associated with human exposure to the agents used for euthanasia at the facility;
(17) First aid for people accidentally exposed to the agents used for euthanasia at the facility; and
(18) Contact information of the physician or medical facility providing medical treatment to employees of the facility. The information shall include the name of the medical facility, the telephone number for both working and after-hours contact and directions to the medical facility from the certified facility including a map. If the medical facility does not provide service after-hours, on weekends or on holidays, there must be contact information as described in this item for the nearest medical facility, urgent care clinic or emergency room that does provide care during that time.
History Note: Authority G.S. 19A-24; Eff. March 23, 2009.

Mr. Stamey told you that your facility would be re-inspected in order to determine if you have corrected the failure to comply with the applicable rules. If you gather the materials listed above before Mr. Stamey's return visit please notify this office in writing by FAX (919-733-6431) or email (agr.aws@ncagr.gov).

This letter shall constitute a **NOTICE OF WARNING FOR FAILURE TO COMPLY WITH THE ADMINISTRATIVE CODE**. If a future violation of these statutes or regulations occurs, it could result in disciplinary action against your certification and that of the facility employing you, the assessment of a civil penalty of up to $5,000.00 per violation under N.C. Gen. Stat. § 19A-40.

Sincerely,



Lee Hunter, DVM, MPH
Director, Animal Welfare Section

JLH/mwb
cc: Mr. Howard Isley, Assistant Commissioner
Ms. Dianne Whitman, Administrative Officer
Mr. Barry Bloch, Assistant Attorney General
Mr. Gary Stamey, Animal Health Technician