

Steven W. Troxler
Commissioner

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

Joseph W. Reardon
Assistant Commissioner
for Consumer Protection

Douglas Meckes, DVM
State Veterinarian

January 22, 2020

Mike Stephens
Columbus County Manager
111 Washington Street
Whiteville, North Carolina 28472
Via Hand Delivery

NOTICE of CIVIL PENALTY and NOTICE of WARNING

Re: CIVIL PENALTY ASSESSMENT for VIOLATIONS of TITLE 02 N.C. ADMINISTRATIVE CODE (NCAC) CHAPTER 52J SECTIONS .0101(4) and (5); .0103; .0204(f) and (g); .0206; .0209(6)(a) - (c); and .0210(c) and (d); and NOTICE of WARNING for VIOLATIONS of N.C.G.S. § 19A-32.1(i) and 02 NCAC 52J .0201(l); .0202(d); .0205(a); .0207(d); .0210(a); and .0302(c).

AWS-CP-2020-1

Facility: Columbus County Animal Shelter
Registration No. 2

Dear County Manager Stephens:

Pursuant to N.C.G.S. § 19A-40, I am issuing this notice that Columbus County as operator of the Columbus County Animal Shelter is hereby assessed a civil penalty of \$6,100.00 as provided in the enclosed Notice of Violations.

With regard to the civil penalty, within 60 days from the date of receipt, you must do one of the following:

1. Pay the civil penalty assessment; or
2. File a written petition for a contested case hearing with the N.C. Office of Administrative Hearings to appeal the penalty assessment.

Pursuant to N.C.G.S. § 150B-22, either party to a dispute may initiate informal settlement negotiations at any time. To negotiate a settlement of this assessment, you may contact me by telephone at (919) 707-3280. Settlement offers do not extend the 60-day deadline for payment or filing of a contested case petition.

Additional information about your options is provided below:

PAYMENT

To pay the penalty, please send your payment by check or money order made payable to the North Carolina Department of Agriculture and Consumer Services to:

North Carolina Department of Agriculture and Consumer Services
Dr. Patricia Norris
Director, Animal Welfare Section
1030 Mail Service Center
Raleigh, NC 27699-1030

APPEAL

If you file a contested case petition, it must be in writing and in the form prescribed by N.C.G.S. § 150B-23. The petition must be filed with the N.C. Office of Administrative Hearings ("OAH") within 60 days from the date of this document. Additionally, the petition must be accompanied by a filing fee of twenty dollars (\$20.00). Payment can be made by cash, money order, certified check or check drawn on an attorney's trust account. Make checks payable to: Office of Administrative Hearings. File the petition and one copy with:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714

Any questions about filing a petition may be directed to the Clerk of OAH by telephone at 919-431-3000.

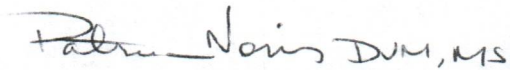
You must serve NCDA&CS by mailing a copy of the petition to:

Ms. Tina Hlabse
North Carolina Department of Agriculture and Consumer Services
Registered Agent and General Counsel
1001 Mail Service Center
Raleigh, NC 27699-1001

Payment of the penalty will not foreclose further enforcement action against you for any new violation. If the violations which resulted in the assessment are of a continuing nature, NCDA&CS reserves the right to assess additional civil penalties in the future or take other enforcement action against you.

Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Patricia Norris DVM, MS". The signature is fluid and cursive, with the first name "Patricia" written in a larger, more prominent script than the last name and credentials.

Patricia Norris, DVM, MS
Director, Animal Welfare Section

Attachment: Notice of Violations, Assessment of Civil Penalty

cc: R. Douglas Meckes, DVM, State Veterinarian
Tina Hlabse, General Counsel, NCDA&CS
Joe Reardon, Assistant Commissioner, NCDA&CS
Christopher R. McLennan, Assistant Attorney General

STATE OF NORTH CAROLINA
COUNTY OF WAKE

NORTH CAROLINA DEPARTMENT
OF AGRICULTURE AND CONSUMER
SERVICES, VETERINARY DIVISION
ANIMAL WELFARE SECTION

IN THE MATTER OF	)	NOTICE of VIOLATION and
	)	ASSESSMENT of CIVIL PENALTY
COLUMBUS COUNTY	)	for VIOLATIONS of TITLE 02 N.C.
	)	ADMINISTRATIVE CODE ("NCAC")
OPERATOR OF	)	CHAPTER 52J SECTIONS .0101(4) and (5);
	)	.0103; .0204(f) and (g); .0206;
COLUMBUS COUNTY	)	.0209(6)(a) – (c); and .0210(c) and (d) and
ANIMAL SHELTER	)	NOTICE of WARNING for VIOLATIONS
	)	of N.C.G.S. § 19A-32.1(i) and 02 NCAC
	)	52J .0201(l); .0202(d); .0205(a); .0207(d);
	)	.0210(a); and .0302(c)
	)	

Acting pursuant to N.C.G.S. § 19A-40, Dr. Patricia Norris, Director, Animal Welfare Section ("AWS"), North Carolina Department of Agriculture and Consumer Services ("NCDA&CS") makes the following:

FINDINGS OF FACT

1. At all times pertinent to this matter, Columbus County was the operator of the Columbus County Animal Shelter ("the shelter") located at 288 Legion Drive, Whiteville, NC, an animal shelter registered pursuant to N.C.G.S. § 19A-26.
2. On January 3, 2020 at approximately 9:30 AM, AWS Animal Health Technician Patricia Sholar ("Inspector Sholar") arrived at the shelter to conduct a facility compliance inspection ("FCI"). During the FCI, Inspector Sholar found the following:
 - a. A black male lab mixed breed dog, Intake number 02142, named Pax was non-weight bearing on his right rear leg and:
 - i. Pax was impounded on December 18, 2019. Neither at the time of intake or during the cleaning of his enclosure on December 18, 2019 was the injured leg noted;
 - ii. On December 19, 2019, the dog was noted to be non-weight bearing. Despite being severely injured, the dog was not taken to a veterinarian for assessment. Pax was provided with twice daily carprofen, a mild pain reliever, from December 19, 2019 through January 1, 2020;
 - iii. On January 2, 2020, Pax was taken to a veterinarian for examination. The resulting diagnosis was that Pax had a fracture of the right femur and required immediate surgical repair of the fracture.
 - iv. The medication log viewed on January 3, 2020 shows that no pain medications were given on January 2, 2020. A follow-up FCI on January 6, 2020 showed that no pain medications were administered on January 4 or 5, 2020.

- v. On January 7, 2020, the AWS Inspector reviewed the paperwork provided by the shelter to the rescue which accepted the transfer of Pax. This review showed that the medication log for Pax had been altered and this new version shows administration of pain medications on January 4th and 5th, 2020;
- vi. Conversations with the Shelter Director during the January 3, 2020 FCI revealed:
 - (i) When asked why Pax was not immediately taken for a veterinary examination, the reply was that the dog was too aggressive to handle;
 - (ii) When asked if a veterinarian had been consulted as soon as the non-weight bearing lameness was noted, the Shelter Director relayed that she had spoken with a specific veterinarian. When the AWS Inspector spoke with the named veterinarian, he said that he had not been contacted by the shelter concerning this dog and that January 2, 2020 was the first he was aware of this dog;
 - (iii) When asked how, if this dog was so aggressive, did the shelter transport the dog to the veterinarian, the Shelter Director relayed that the shelter had sedated the dog prior to transport. No answer was given when asked why this sedation, transport and examination did not occur as soon as the lameness was noted;
 - (iv) Review of the dog's medication log did not show the administration of a sedative at any point during its stay at the shelter including the time of transport to the veterinary clinic on January 2, 2020. When the AWS Inspector asked about the documentation of the sedative administration, the CET responded that he did not document the medication because, in the log for that controlled substance, the amount for that drug had reached zero, but there was still medication present in the vial;
 - (v) When asked about the plans for the dog since the veterinarian had noted that immediate surgical correction was needed, the Shelter Director stated that she was transferring Pax to a rescue as a medical rescue later in the afternoon of January 3, 2020;
 - (vi) During the follow-up FCI on January 6, 2020, the AWS Inspector noted that Pax was still housed at the shelter. The Shelter Director explained that she was now planning on transferring this dog to a different rescue on January 7, 2020;
 - (vii) The AWS Inspector spoke with the operator of the second rescue who ultimately accepted Pax on January 7, 2020. The rescue had Pax transported directly to the veterinary clinic and immediately examined by a veterinarian. This veterinarian found that, not only did Pax have a severe fracture of the right femur, he also had a fractured pelvis on the left side.
 - (viii) The shelter staff relayed that Pax was sedated for the transfer to the veterinary clinic on January 7, 2020. A review of the medication records for Pax during a follow-up site visit on January 8, 2020 does not document the administration of the sedative medications on January 7, 2020;
 - (ix) The veterinarian attempted a surgical repair of the fracture, but the leg ultimately had to be amputated, in large part due to the delay in veterinary care according to the rescue operator. This was confirmed in conversation with the veterinarian who operated on Pax;
 - (x) In violation of the Program of Veterinary Care submitted as part of the

2019-2020 animal shelter registration renewal application for this shelter, Pax did not receive Distemper/Parvo or Bordetella vaccinations during his stay at the shelter;

- (xi) At the time of the January 3, 2020 FCI, Pax had been in the shelter for 16 days and had not received a rabies vaccination required by 02 NCAC 52J .0210(d). The records review for this dog as part of the follow-up FCI on January 6, 2020 showed that Pax had still not received a rabies vaccination;
 - (xii) On January 7, 2020 at 5:41 PM, the shelter administrative assistant emailed the AWS Inspector a copy of the shelter paperwork provided to the rescue organization that accepted the transfer of Pax. This packet of paperwork contains a rabies vaccination certificate signed by the Shelter Director and dated for Saturday, January 4, 2020.
- b. During the January 3, 2020 FCI, the AWS Inspector walked around the back of the building and found:
- i. In an area where pallets are stacked, and other debris has collected, 3 shelter cats were found in very small transport carriers. There was no food bowl, water, or access to a litter pan in any of the 3 carriers. These carriers were too small to be used as primary enclosures for these cats. These carriers were too small to be used as transport carriers given the size of these 3 cats as the cats did not have sufficient space to turn about freely, easily stand, sit or lie down in a natural position;
 - ii. The Shelter Director stated she was unaware that these cats were behind the shelter. She stated that these 3 cats had been taken for spay/neuter surgeries the day before. She relayed that she believed the ACO that transported cats from the veterinary clinic must have left the cats behind the shelter when he dropped them off the evening of January 2, 2020. If this was the case, these cats had been without food, water and access to a litter pan for at least 15 hours after having been fasted and water withheld pre-op and had spent the night outside in these carriers just after having undergone surgery.
 - iii. When the AWS Inspector asked another shelter employee about the cats behind the shelter, this employee provided a signed statement which relayed that she had done a walk-through the shelter including behind the building at 8:30 AM on January 3, 2020 and she knew the cats were not present behind the shelter at that time. She went on to state that she is sure the animals were not there because that area is where she takes her smoke breaks.
 - iv. The shelter employee who provided the signed statement noted above sent the AWS Inspector an email on January 7, 2020. She apologized for not being truthful in her earlier signed statement. In the email, she relayed that she had placed the cats in the carriers behind the shelter the morning of January 3, 2020 because she was supposed to have called the person whose farm these cats were supposed to be going to and she had forgotten to make the call. She further stated that she had placed the cats there so that the Shelter Director would not see them and be angry with her failure to make the call.
 - v. The Shelter Director relayed that these cats had surgery on January 2, 2020 and were being released to Stanley Farms on January 3, 2020.
 - vi. The AWS Inspector requested the paperwork for these 3 cats. The paperwork provided only matched 1 of the 3 cats. One of the 3 cats in the carriers was an orange and white,

large adult cat but the paperwork provided stated this animal was a calico kitten weighing 5 lbs. with Intake number 7497. The spay surgery for the calico kitten with Intake number 7497 was done on December 17, 2019, not January 2, 2020. The paperwork for tabby male cat, Intake number 5801, showed that his neuter surgery was on December 20, 2019 not January 2, 2020.

- vii. Review of the shelter paperwork shows that the cat #5801 was impounded as a stray on December 19, 2019 and his neuter surgery was done on December 20, 2019. The cat #7497 was impounded as a stray on December 16, 2019 and her spay surgery was done on December 17, 2019. These dates mean that the elective surgeries were performed on these stray animals prior to the end of their 72-hour minimum hold period.
 - viii. During the January 6, 2020 follow-up FCI, the review of the paperwork for the disposition of these cats showed that these cats were transferred to Columbus Humane Society on January 6, 2020. The required identification of the person to whom the cats were released was for a person related to the Columbus Humane Society, not the person from Stanley Farms to whom the cats were actually released.
 - ix. The shelter disposition paperwork shows that 24 cats were transferred on January 6, 2020. The shelter census during the January 3, 2020 FCI noted that only 16 cats were present. The paperwork also shows that on the first page for the January 6, 2020 transfer, the person receiving the animals dated the form as December 20, 2019, but the shelter employee dated the form as January 6, 2020. In addition, the weight for all 24 cats was noted as being 7 lbs.
 - x. A conversation with the person whose signature appears on the January 6, 2020 transfer paperwork revealed that he is unaware of just how many animals were transferred on January 6, 2020 as he was not the person to whom the animals were released. He stated that the animals were actually released to a person from Stanley Farms.
- c. The January 3, 2020 FCI also revealed:
- i. The feral cat room has only been partially painted and none of the wood door frames have been painted;
 - ii. The wood blocks supporting the cat cages need to be sealed/painted or replaced with a non-porous material that can be readily sanitized;
 - iii. In the canine quarantine room and in the general population canine room, sections of unsealed, porous wallboard have been added;
 - iv. The shelter is experiencing a roach problem. The Shelter Director informed that an exterminator has been contacted but the services have not been engaged. In a later email, the Shelter Director informed the AWS Inspector that another exterminator has been contacted to provide extermination services;
 - v. Animals were present in the shelter that have been housed there for more than 30 days. There were no toys present in the primary enclosures of these animals and no evidence that these animals are receiving the daily social interactions and access to space other than their primary enclosures required by the AWA rules;
 - vi. The written standards for foster care providers do not address standards for animals in a medical foster care situation;
 - vii. A controlled substance medication was found to be in an unlocked drawer in violation of state and federal DEA regulations.

CONCLUSIONS

To the extent that the Findings of Fact contain Conclusions of Law, or that the Conclusions of Law are Findings of Fact, they should be so considered without regard to the given labels. Based on the findings of this investigation, AWS concludes that the shelter violated the following provisions:

N.C.G.S § 19A-32.1(i) for failing to obtain and document the information required of every person to whom an animal is released for the 24 cats allegedly released to farm personnel on January 6, 2020;

02 NCAC 52J .0101(4) for failing to maintain disposition records of the name and address of the person to whom the animals were adopted for the 24 cats released on January 6, 2020;

02 NCAC 52J .0101(5) for failing to maintain records of veterinary care including treatments, immunization and date, time, description of medication (including name and dosage), and initials of person administering any product or procedure for the animal Pax for the sedation on January 2, 2020 and the second sedation on January 7, 2020;

02 NCAC 52J .0103 for failing to match the shelter records upon request to 2 of the 3 cats found behind the shelter building on January 3, 2020;

02 NCAC 52J .0201(l) for failing to follow federal and state laws and rules by failing to properly secure controlled substance medications;

02 NCAC 52J .0202(d) for failing to maintain interior building surfaces that are impervious to moisture and that can be readily sanitized;

02 NCAC 52J .0204(f) for failing to provide adequate floor space in the enclosures housing the 3 cats found behind the shelter building on January 3, 2020;

02 NCAC 52J .0204(g) for failing to provide receptacles with clean litter for the 3 cats found behind the shelter building on January 3, 2020;

02 NCAC 52J .0205(a) for failing to provide food daily for the 3 cats found behind the shelter building on January 3, 2020;

02 NCAC 52J .0206 for failing to provide continuous access to water for the 3 cats found behind the shelter building on January 3, 2020;

02 NCAC 52J .0207(d) for failing to maintain an effective program for the control of insects;

02 NCAC 52J .0209(6)(a) – (c) for failing to provide daily social interaction, access to areas outside of the primary enclosure and species and size-appropriate toys to animals held in the shelter for more than 30 days;

02 NCAC 52J .0210(a) for failing to follow the Program of Veterinary Care submitted as part of the 2019-2020 animal shelter registration renewal application;

02 NCAC 52J .0210(c) for failing to euthanize or provide veterinary care to the injured dog Pax for 16 days and then not providing the veterinary care as directed by the licensed veterinarian once the veterinary care was obtained;

02 NCAC 52J .0210(d) for failing to inoculate dogs for rabies that are older than 12 weeks and have been in the shelter for more than 15 days; and

02 NCAC 52J .0302(c) for failing to provide primary enclosures for transport large enough for each animal to turn about freely, and to easily stand sit or lie down in a natural position.

(See Appendix for text of referenced General Statutes and Administrative Code)

CIVIL PENALTIES

As required by NCGS § 19A-40, in determining the amount of the civil penalty, I have considered the degree and extent of harm caused by the violations listed above.

Accordingly, Columbus County is hereby assessed a civil penalty for the following violations:

\$200.00 for violation of 02 NCAC 52J .0101(4) for failing to provide maintain disposition records of the name and address of the person to whom the animals were adopted for the 24 cats allegedly released on January 6, 2020;

\$400.00 for 2 violations (\$200.00 per violation) of 02 NCAC 52J .0101(5) for failing to maintain records of veterinary care including treatments, immunization and date, time, description of medication (including name and dosage), and initials of person administering any product or procedure for the animal Pax for the sedation on January 2, 2020 and the second sedation on January 7, 2020;

\$300.00 for violation of 02 NCAC 52J .0103 for failing to match the shelter records upon request to 2 of the 3 cats found behind the shelter building on January 3, 2020;

\$600.00 for 3 violations (\$200.00 per violation) of 02 NCAC 52J .0204(f) for failing to provide adequate floor space for each of the enclosures housing the 3 cats found behind the shelter building on January 3, 2020;

\$300.00 for 3 violations (\$100.00 per violation) of 02 NCAC 52J .0204(g) for failing to provide receptacles with clean litter for the 3 cats found behind the shelter building on January 3, 2020;

\$600.00 for 3 violations (\$200.00 per violation) of 02 NCAC 52J .0206 for failing to provide continuous access to water for the 3 cats found behind the shelter building on January 3, 2020;

\$500.00 for violation of 02 NCAC 52J .0209(6) (a) – (c) for failing to provide daily social interaction, access to areas outside of the primary enclosure and species and size-appropriate toys to animals held in the shelter for more than 30 days;

\$3,000.00 for violation of 02 NCAC 52J .0210(c) for failing to provide veterinary care for a seriously injured dog, Pax, for 16 days and then not providing the veterinary care as directed by the licensed veterinarian once the veterinary care had been obtained;

\$200.00 for violation of 02 NCAC 52J .0210(d) for failing to be in compliance with the NC rabies law as Pax was not vaccinated for rabies within 15 days of intake

\$6,100.00 TOTAL AMOUNT ASSESSED

NOTICE of WARNING

As to the remaining violations, this Warning Letter serves as written notice indicating in which respects the shelter has violated the NC Animal Welfare Act and the rules issued pursuant thereto.

The shelter is directed to develop and implement written protocols and corrective actions to address the violations of N.C.G.S. § 19A-32.1(i) and 02 NCAC 52J .0201(l); .0202(d); .0205(a); .0207(d); .0210(a) and .0302(c). Please submit these written protocols and corrective actions to AWS within 14 days of receipt of this letter.

Continued or future violation of the statutes or regulations referenced in this letter will be considered a willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such willful disregard or violation may result in action against your facility's registration pursuant to NCGS § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under NCGS § 19A-40.

January 21, 2020
Date

Patricia Norris
Patricia Norris, DVM, MS
Director, Animal Welfare Section
North Carolina Department of
Agriculture & Consumer Services

Appendix

REFERENCED LAWS AND REGULATIONS

§ 19A-26. Certificate of registration required for animal shelter.

No person shall operate an animal shelter unless a certificate of registration for such animal shelter shall have been granted by the Director. Application for such certificate shall be made in the manner provided by the Director. No fee shall be required for such application or certificate. Certificates of registration shall be valid for a period of one year or until suspended or revoked and may be renewed for like periods upon application in the manner provided.

§ 19A-30. Refusal, suspension or revocation of certificate or license.

The Director may refuse to issue or renew or may suspend or revoke a certificate of registration for any animal shelter or a license for any public auction, kennel, pet shop, or dealer, if after an impartial investigation as provided in this Article he determines that any one or more of the following grounds apply:

- (1) Material misstatement in the application for the original certificate of registration or license or in the application for any renewal under this Article;
- (2) Willful disregard or violation of this Article or any rules issued pursuant thereto;
- (3) Failure to provide adequate housing facilities and/or primary enclosures for the purposes of this Article, or if the feeding, watering, sanitizing and housing practices at the animal shelter, public auction, pet shop, or kennel are not consistent with the intent of this Article or the rules adopted under this Article;
- (4) Allowing one's license under this Article to be used by an unlicensed person;
- (5) Conviction of any crime an essential element of which is misstatement, fraud, or dishonesty, or conviction of any felony;
- (6) Making substantial misrepresentations or false promises of a character likely to influence, persuade, or induce in connection with the business of a public auction, commercial kennel, pet shop, or dealer;
- (7) Pursuing a continued course of misrepresentation of or making false promises through advertising, salesmen, agents, or otherwise in connection with the business to be licensed;
- (8) Failure to possess the necessary qualifications or to meet the requirements of this Article for the issuance or holding of a certificate of registration or license.

The Director shall, before refusing to issue or renew and before suspension or revocation of a certificate of registration or a license, give to the applicant or holder thereof a written notice containing a statement indicating in what respects the applicant or holder has failed to satisfy the requirements for the holding of a certificate of registration or a license. If a certificate of registration or a license is suspended or revoked under the provisions hereof, the holder shall have five days from such suspension or revocation to surrender all certificates of registration or licenses issued thereunder to the Director or his authorized representative.

A person to whom a certificate of registration or a license is denied, suspended, or revoked by the Director may contest the action by filing a petition under G.S. 150B-23 within five days after the denial, suspension, or revocation.

Any licensee whose license is revoked under the provisions of this Article shall not be eligible to apply for a new license hereunder until one year has elapsed from the date of the order revoking said license or if an appeal is taken from said order of revocation, one year from the date of the order or final

judgment sustaining said revocation. Any person who has been an officer, agent, or employee of a licensee whose license has been revoked or suspended and who is responsible for or participated in the violation upon which the order of suspension or revocation was based, shall not be licensed within the period during which the order of suspension or revocation is in effect.

§ 19A-32.1. Minimum holding period for animals in animal shelters; public viewing of animals in animal shelters; disposition of animals.

(i) An animal shelter shall require every person to whom an animal is released to present one of the following valid forms of government-issued photographic identification: (i) a drivers license, (ii) a special identification card issued under G.S. 20-37.7, (iii) a military identification card, or (iv) a passport. Upon presentation of the required photographic identification, the shelter shall document the name of the person, the type of photographic identification presented by the person, and the photographic identification number.

§ 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

02 NCAC 52J .0101 RECORDS; ANIMAL SHELTERS, ETC.

Operators of all animal shelters, pet shops, public auctions, and dealers shall maintain records on all dogs and cats showing the following:

- (4) disposition of animals including name and address of person to whom animal is sold, traded or adopted and the date of such transaction; in the event of death, the record shall show the date, signs of illness, or cause of death if identified; if euthanized, the record shall show date and type of euthanasia; and
- (5) record of veterinary care including treatments, immunization and date, time, description of medication (including name and dosage), and initials of person administering any product or procedure.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0103 INSPECTION OF RECORDS

All operators of animal shelters, pet shops, boarding kennels, public auctions, and persons operating as dealers shall make all required records available to the director or his authorized representative on request, during the business and cleaning hours listed on the license application. The operator must be able to match each animal to its record upon request. Records shall be maintained for a period of one year after the animal is released.

History Note: Authority G.S. 19A-24; 19A-25; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0201 GENERAL

(1) 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.

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.

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

02 NCAC 52J .0204 PRIMARY ENCLOSURES

(f) In addition to Paragraph (b) of this Rule, each feline older than six months housed in any primary enclosure shall be provided a minimum of four square feet of floor space which may include elevated resting surfaces. Each feline younger than six months shall be provided 1.5 square feet. Not more than 12 cats shall be housed in the same primary enclosure.

(g) In all cat enclosures, a receptacle containing clean litter shall be provided for waste. A minimum of one receptacle per three cats is required.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0205 FEEDING

(a) Dogs and cats shall be fed at least once each 24-hour period except as otherwise might be required to provide adequate veterinary care. Food shall be commercially prepared food which complies with laws applicable to animal feed or the food shall be provided by the owner. The food shall be free from contamination, wholesome, palatable, and of adequate quality and quantity appropriate for the given size, age, and condition of an animal to meet the daily requirements for nutritional value. Puppies and kittens less than six months of age shall be fed at least twice in each 24-hour period. An eight-hour interval between feedings is required if only two feedings are offered in a 24-hour period.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0206 WATERING

Animals shall have continuous access to fresh water, except as might otherwise be required to provide adequate veterinary care. Watering receptacles shall be durable and kept clean and sanitized. Damaged receptacles shall be replaced.

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

02 NCAC 52J .0207 SANITATION

(d) An effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985.

02 NCAC 52J .0209 CLASSIFICATION AND SEPARATION

Animals housed in the same primary enclosure shall be maintained in compatible groups, with the following additional restrictions:

- (6) Animals in long term care which are intended for adoption or sale must be provided the following:
 - (a) Daily access to both human and same species social interaction.
 - (b) Daily access to space other than the primary enclosure.
 - (c) A species and size-appropriate toy, unless it poses a health threat.

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

02 NCAC 52J .0210 VETERINARY CARE

(a) A written program of veterinary care to include disease control and prevention, vaccination, euthanasia, and adequate veterinary care shall be established with the assistance of a licensed veterinarian by any person who is required to be licensed or registered under the Animal Welfare Act, Article 3 of Chapter 19A of the General Statutes.

(c) Each dog and cat shall be observed daily by the animal caretaker in charge, or by someone under his direct supervision. Sick or diseased, injured, lame, or blind dogs or cats shall be provided with veterinary care or be euthanized, provided that this shall not affect compliance with any state or local law requiring the holding, for a specified period, of animals suspected of being diseased. If euthanasia is performed at a certified facility, a list of personnel approved to perform euthanasia shall be maintained in a Policy and Procedure Manual as described in 02 NCAC 52J .0800. Diseased or deformed animals shall be sold or adopted only under the policy set forth in the "Program of Veterinary Care." Full written disclosure of the medical condition of the animal shall be provided to the new owner.

(d) All animals in a licensed or registered facility shall be in compliance with the North Carolina rabies law, G.S. 130A, Article 6, Part 6. However, no shelter shall be disapproved following inspection or otherwise cited for failure to inoculate any dog or cat known to be less than 12 weeks old or until such animals have been in the shelter at least 15 days.

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

02 NCAC 52J .0302 PRIMARY ENCLOSURES USED IN TRANSPORTING DOGS AND CATS

(c) Primary enclosures used to transport dogs and cats shall be large enough for each animal to turn about freely, and to easily stand, sit, or lie down in a natural position. Primary enclosures used to transport dogs and cats shall be secured to the vehicle to prevent sliding or tipping of the enclosure during transit.

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

**Animal Welfare Section
NC Department of Agriculture and Consumer Services
1030 Mail Service Center
Raleigh, NC 27699-1030**

Phone: (919) 707-3280 Fax: (919) 733-6431

Email: agr.aws@ncagr.gov

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Facility Compliance Inspection - Animal Shelter

Disapproved - 01/03/2020

Facility Name: COLUMBUS COUNTY ANIMAL SHELTER	License Number: 2
Owner: COLUMBUS COUNTY GOVERNMENT	
Address: 288 LEGION DRIVE	
City: WHITEVILLE	Zip Code: 28472
County: COLUMBUS	
Phone: (910)641-3945	Email: LSHIPMAN@COLUMBUSCO.ORG
Latitude:	Longitude:
Total Enclosures: 80	
Dogs on Premise: 28	Cats on Premise: 16
Capacity (Dogs): 45	Capacity (Cats): 35
Type of Inspection: Follow-up Inspection	Date of Inspection: 01/03/2020

02 NCAC 52J .0101 RECORDS

1. origin and date received. [02 NCAC 52J .0101(1)] - In Compliance
2. description [02 NCAC 52J .0101(2)] - In Compliance
3. location [02 NCAC 52J .0101(3)] - In Compliance
4. disposition of animals
 - o name and address of person [02 NCAC 52J .0101(4)] - **Not In Compliance**
 - o death - date, signs of illness, or cause of death if identified [02 NCAC 52J .0101(4)] - In Compliance
 - o date and type of euthanasia [02 NCAC 52J .0101(4)] - In Compliance
5. record of veterinary care. [02 NCAC 52J .0101(5)] - **Not In Compliance**

On this follow up inspection from 10/15/19 I noted an individual medical log has been created. # 5 The director and aco advised dog # 02142 had to be sedated to be transported to the vet for examination. There was no record on the med log or drug log book to indicate this dog received sedation medication. # 4 Disposition of cats: I noted on adoption paperwork that 24 cats were released to Columbus Humane Society but the office person stated these cats were actually going to farms. I noted there were farm names written beside Columbus Humane Society's name on the paperwork. This adoption paperwork does not reflect the true disposition of these cats. # 5 I noted today on this continuing follow up inspection, 1/06/20, that the medical log is not being used. Dog # 02142 has been on pain management since 12/19/19 for a broken leg (femur) but the log does not indicate the meds were given on Sat. & Sun. 1/04/20 & 1/05/20. A staff member stated the weekend person could not log the meds because the med book was locked in the office. I advised that a separate med sheet be prepared for the kennel doors so the attending person can log meds each time they are administered. On this continued follow up inspection, 01/07/20, I have been verbally advised this dog # 02142 was sedated again to be transported by the adoption group that will take him for leg surgery today. The Columbus Co. office staff person emailed the paperwork but there is no record on this dog's medical log to indicate he received sedation. I noted a Rabies vaccine was administered on 01/04/20 but still no record of Distemper or Parvo Vaccines as required in the shelter Program of Veterinary Care. I have advised the staff at this shelter that all medications are to be noted on the animal's medical log.

02 NCAC 52J .0103 INSPECTION OF RECORDS

1. Records available upon request. [02 NCAC 52J .0103] - In Compliance
2. Animals matched to record. [02 NCAC 52J .0103] - **Not In Compliance**
3. Records retained for 1 year; [02 NCAC 52J .0103]; see section for §19A-32.1(j) for records to be retained for 3 years - In Compliance

2 Cat # 02143 record does not match. The impound sheet, Rabies and surgery sheet indicates this is a tabby / white female but the disposition sheet indicates this is a calico female. All records pertaining to an animal should match. # 2 I noted the 3 cats that I found outside behind the shelter 2 out of 3 records do not match the photo descriptions of the cats. The adoption records indicate: # 5801 Tabby Male, # 02143 Calico Female, # 7497 Calico Female. The 3 cats photographed in the carriers were a Tabby & White, a Orange & White and a Tabby. # 2 I noted on the male cat's records that he had surgery on 12/20/2019. I was advised by the staff the cat had surgery on 01/02/2020.

02 NCAC 52J .0201 GENERAL

1. Housing facilities structurally sound and maintained in good repair. [02 NCAC 52J .0201(a)] - In Compliance
2. Housing facilities contain the animals and restrict entry of other animals and people. [02 NCAC 52J .0201(a)] - In Compliance
3. Light fixtures and electrical outlets in animal areas in compliance with the State Building Code. [02 NCAC 52J .0201(b)] - In Compliance
4. Electric power reliable and safe. [02 NCAC 52J .0201(c)] - In Compliance
5. Supplies of food and bedding stored and adequately protected against infestation or contamination by vermin and insects. [02 NCAC 52J .0201(d)] - In Compliance
6. Open bags of food stored in airtight containers with lids. [02 NCAC 52J .0201(d)] - In Compliance
7. Refrigeration for perishable food. [02 NCAC 52J .0201(d)] - In Compliance
8. Daily removal and disposal of animal and food waste, bedding and debris; facility maintained in a clean and sanitary manner. [02 NCAC 52J .0201(e)] - In Compliance
9. Hot and cold running, potable water available. [02 NCAC 52J .0201(f)] - In Compliance
10. Washroom, basin or sink provided to maintain cleanliness among animal caretakers, animals, and animal food and water receptacles. [02 NCAC 52J .0201(f)] - In Compliance
11. Ability to confirm ambient temperature. [02 NCAC 52J .0201(g)] - In Compliance
12. A separate five-foot perimeter fence if any animals have access to an outdoor enclosure, including unsupervised exercise areas. [02 NCAC 52J .0201(h)] - In Compliance
13. Adequate drainage system. [02 NCAC 52J .0201(i)] - In Compliance
14. All areas of a facility available for review or inspection during normal business hours. [02 NCAC 52J .0201(j)] - In Compliance
15. All animals in a facility subject to the requirements of the Animal Welfare Act, regardless of ownership. [02 NCAC 52J .0201(k)] - In Compliance
16. Compliance with all federal, state and local laws, rules and ordinances relating to or affecting the welfare of dogs and cats in its facility. [02 NCAC 52J .0201(l)] - In Compliance
17. No dog or cat present in a window display except during business hours and in compliance with standards set forth in this Section. [02 NCAC 52J .0201(m)] - Not Applicable

On this follow up inspection I noted the burned out light in the adoptable cat room is now working and the electrical outlet in the cat qt. room is now plugged.

02 NCAC 52J .0202 INDOOR FACILITIES

1. Indoor housing facilities adequately heated and cooled. [02 NCAC 52J .0202(a)] - In Compliance
2. Ambient temperature between 50°F and 85°F. [02 NCAC 52J .0202(a)] - In Compliance
3. Indoor housing facilities adequately ventilated. [02 NCAC 52J .0202(b)] - In Compliance
4. Fresh air and ventilation provided and drafts minimized. [02 NCAC 52J .0202(b)] - In Compliance
5. Air flow adequate to minimize odors and moisture condensation. [02 NCAC 52J .0202(b)] - In Compliance
6. Indoor housing facilities adequately illuminated. [02 NCAC 52J .0202(c)] - In Compliance
7. Illumination provides regular diurnal lighting cycles and be uniformly diffused [02 NCAC 52J .0202(c)] - In Compliance
8. Interior building surfaces are impervious to moisture and can be readily sanitized. [02 NCAC 52J .0202(d)] - Not In Compliance
9. Drainage rapidly eliminates excess water. [02 NCAC 52J .0202(e)] - In Compliance
10. Closed drain systems equipped with traps and installed to prevent odors and backup of sewage. [02 NCAC 52J .0202(e)] - In Compliance
11. The drainage system constructed to prevent cross-contamination among animals. [02 NCAC 52J .0202(e)] - In Compliance

On this follow up inspection I noted # 8 has not been fully addressed. The qt. cat room block walls have been sealed / painted as well as the wood door frames but the feral cat room has only been partially painted and none of the wood door frames painted. Finish painting the block walls and wood door frames in the feral cat room. Paint the wood boards that are supporting the cat cages or remove them and replace them with a non wood material. The cats do not have direct access to any of the areas required to be painted but because these materials will harbor bacteria and virus they must be painted / sealed. # 8 Today I noted in the K - 9 quarantine area a piece of wall board has been replaced opposite the kennel doors. I noted the same in the K-9 general population room. This wall board needs to be painted / sealed so it will be impervious to moisture. The shelter is required to paint / seal any wall board on the exterior walls of the shelter that are replaced because the wall board is a material that will harbor bacteria and virus so these surfaces must be impervious to moisture.

02 NCAC 52J .0203 OUTDOOR FACILITIES

1. Primary enclosures and walkways constructed of sealed concrete or other surfaces impervious to moisture. [02 NCAC 52J .0203(a)] - Not Applicable
2. Gravel maintained at a minimum depth of six inches and kept sanitary. [02 NCAC 52J .0203(a)] - Not Applicable
3. Outdoor housing provided allows animals to remain dry and comfortable during inclement weather. [02 NCAC 52J .0203(b)] - Not Applicable
4. Housing is impervious to moisture and can be disinfected. [02 NCAC 52J .0203(b)] - Not Applicable
5. One house available for each animal within each enclosure unless the animals are a mother and her unweaned offspring. [02 NCAC 52J .0203(b)] - Not Applicable
6. In addition to the housing, the enclosure provides protection from excessive sun and inclement weather. [02 NCAC 52J .0203(c)] - Not Applicable
7. Suitable method of drainage provided. [02 NCAC 52J .0203(e)] - Not Applicable

02 NCAC 52J .0204 PRIMARY ENCLOSURES

1. Primary enclosures constructed prevent contamination from waste and wastewater from animals in other enclosures. [02 NCAC 52J .0204(a)] - In Compliance
2. All surfaces with which an animal comes in contact impervious to moisture. [02 NCAC 52J .0204(a)] - In Compliance
3. For primary enclosures placed into service on or after January 1, 2005, no wood within the animal's reach. [02 NCAC 52J .0204(a)] - Not Applicable
4. For primary enclosures in use in a registered facility prior to January 1, 2005, any damaged wood replaced so that so that there's no contact with wood by the animal. [02 NCAC 52J .0204(a)] - In Compliance
5. Primary enclosures structurally sound, maintained in good repair and in a manner to prevent injury to animals, and keep other animals out. [02 NCAC 52J .0204(b)] - In Compliance
6. Primary enclosures provide space to allow animal to walk, turn about freely, and to easily stand, sit, or lie in a natural position. [02 NCAC 52J .0204(b)] - In Compliance
7. The height of primary enclosures other than cage no less than five feet. [02 NCAC 52J .0204(b)] - In Compliance
8. All enclosures constructed as to prevent the escape of animals. [02 NCAC 52J .0204(b)] - In Compliance
9. Each primary enclosure provided with a solid resting surface or surfaces adequate to comfortably hold all occupants of the primary enclosure at the same time. [02 NCAC 52J .0204(c)] - In Compliance
10. All resting surfaces made of a non-porous or easily sanitized material, such as a towel, or a disposable material such as newspaper. [02 NCAC 52J .0204(c)] - In Compliance
11. The resting surface or surfaces be elevated in primary enclosures housing two or more cats. [02 NCAC 52J .0204(c)] - In Compliance
12. In addition to Paragraph (b) of 02 NCAC 52J .0204, each dog shall be provided with the minimum square footage required by 02 NCAC .0204(d). [02 NCAC 52J .0204(d)] - In Compliance
13. Not more than four adult dogs housed in the same primary enclosure without supervision. [02 NCAC 52J .0204(d)] - Not Applicable
14. If more than four dogs are housed in a common area or enclosure, then at least one person supervising each 10 dogs housed within each enclosure or common area. [02 NCAC 52J .0204(e)] - Not Applicable
15. In addition to Paragraph (b) of 02 NCAC 52J .0204, each feline older than six months housed in any primary enclosure provided with a minimum of 4sq. ft. of floor space which may include elevated resting surfaces. [02 NCAC 52J .0204(f)] - Not In Compliance
16. Each feline younger than 6 months provided 1.5 sq. ft. [02 NCAC 52J .0204(f)] - In Compliance
17. No more than 12 cats housed in the same primary enclosure. [02 NCAC 52J .0204(f)] - In Compliance
18. In all cat enclosures, receptacle with clean litter provided for waste. [02 NCAC 52J .0204(g)] - Not In Compliance
19. A minimum of one receptacle per three cats shall be provided. [02 NCAC 52J .0204(f)] - In Compliance

15 I noted 3 adult cats housed outside in pet carriers behind the shelter. These cats had had surgery the day before. It appears these cats sat in these small carriers outside overnight. The cats were over 6 months of age. There was inadequate space. # 18 I noted the 3 cat carriers were not large enough to provide a litter pan. No litter pan was present for any of the 3 cats.

02 NCAC 52J .0205 FEEDING

Dogs and cats fed at least once each 24-hour period except as otherwise might be required to provide adequate veterinary care. [02 NCAC 52J .0205(a)]

1. Food is commercially prepared food complying with laws applicable to animal feed or the food provided by the owner. [02 NCAC 52J .0205(a)] - In Compliance
2. The food is free from contamination, wholesome, palatable, and of adequate quality and quantity appropriate for the given size, age, and condition of an animal meeting the daily requirements for nutritional value. [02 NCAC 52J .0205(a)] - In Compliance
3. Puppies and kittens less than six months of age fed at least twice in each 24-hour period. An eight-hour interval between feedings if only two feedings are offered in a 24-hour period. [02 NCAC 52J .0205(a)] - In Compliance
4. Food receptacles accessible to all dogs or cats. [02 NCAC 52J .0205(b)] - In Compliance
5. Food receptacles located to minimize contamination by waste. [02 NCAC 52J .0205(b)] - In Compliance
6. For every adult animal, at least one food receptacle offered. [02 NCAC 52J .0205(b)] - In Compliance
7. Food receptacles durable, clean and sanitized. [02 NCAC 52J .0205(b)] - In Compliance
8. Damaged receptacles replaced. [02 NCAC 52J .0205(b)] - In Compliance
9. Disposable food receptacles discarded after each feeding. [02 NCAC 52J .0205(b)] - Not Applicable

10. Food and water receptacles in outdoor facilities protected from the elements. [02 NCAC 52J .0205(c)] - Not Applicable

The 3 cats found in carriers behind the shelter the morning of 1/03/20 had surgery (2 spays, 1 neuter) on 1/2/20. These cats were not provided water or food the night after their surgery. These 3 adult cats had been fasting since 1/1/20. Adult cats are required to be fed once every 24 hours.

02 NCAC 52J .0206 WATERING

1. Continuous access to fresh water, except as might otherwise be required to provide adequate veterinary care. [02 NCAC 52J .0206] - **Not In Compliance**
2. Watering receptacles durable, clean and sanitized. [02 NCAC 52J .0206] - In Compliance
3. Damaged receptacles replaced. [02 NCAC 52J .0206] - In Compliance

1 There was no water provided for the 3 cats found in carriers outside behind the shelter. These 3 cats had been fasting since 1/1/20. Unless there is a medical reason there should be a continuous supply of drinking water available at all time.

02 NCAC 52J .0207 SANITATION

1. Waste removed from primary enclosures and exercise areas to prevent contamination of the dogs or cats and to reduce disease hazards and odors. [02 NCAC 52J .0207(a)] - In Compliance
2. Enclosures and exercise areas for dogs and cats properly cleaned a minimum of two times per day. [02 NCAC 52J .0207(a)] - In Compliance
3. The animal must be able to walk or lie down without coming in contact with any waste or debris. [02 NCAC 52J .0207(a)] - In Compliance
4. When a hosing or flushing method is used for cleaning an enclosure, animals are removed during the cleaning process, and measures taken to protect the animals in other such enclosures from being contaminated with water and other wastes. [02 NCAC 52J .0207(a)] - In Compliance
5. Prior to the introduction of dogs or cats into empty primary enclosures previously occupied, enclosures and accessories sanitized in the manner provided in 02 NCAC 52J .0207(b)(3). [02 NCAC 52J .0207(b)(1)] - In Compliance
6. In addition to primary enclosures being properly cleaned a minimum of two times per day, if the same animal is housed in the same enclosure more than seven days, enclosures and accessories sanitized at least once every seven days in the manner provided in 02 NCAC 52J .0207(b)(3). [02 NCAC 52J .0207(b)(1)] - In Compliance
7. Cages, rooms and hard-surfaced pens or runs be sanitized by:
 - o washing them with hot water (180 degrees F.) and soap or detergent as in a mechanical cage washer; or - Not Applicable
 - o washing all soiled surfaces with a detergent solution to remove all organic matter followed by application of a safe and effective disinfectant; or - In Compliance
 - o cleaning all soiled surfaces with live steam. [02 NCAC 52J .0207(3)(A-C)]- Not Applicable
8. Food and water receptacles sanitized daily with hot water, detergent, and disinfectant. [02 NCAC 52J .0207(b)(4)] - In Compliance
9. Soiled linens and cloth products mechanically washed with detergent and sanitized. [02 NCAC 52J .0207(b)(5)] - In Compliance
10. Any area accessible to multiple animals kept clean and sanitary. [02 NCAC 52J .0207(b)(6)] - In Compliance
11. Premises (buildings and grounds) kept clean and in good repair to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this Rule. [02 NCAC 52J .0207(c)] - In Compliance
12. Premises are free of accumulations of trash, junk, waste products, and discarded matter. [02 NCAC 52J .0207(c)] - In Compliance
13. Weeds, grasses, and bushes controlled. [02 NCAC 52J .0207(c)] - In Compliance
14. Effective program for the control of insects, ectoparasites, and avian and mammalian pests [02 NCAC 52J .0207(d)] - **Not In Compliance**

Comment on insect control: The director advised there has become a roach problem at the shelter. Today I noted dead roaches in several areas. The director advised an exterminating company has been contacted to address the roach problem. # 12 The premise behind the shelter has an accumulation of discarded matter. This area should be free of all discarded matter.

02 NCAC 52J .0208 EMPLOYEES

1. Sufficient number of employees. [02 NCAC 52J .0208] - In Compliance
2. Supervision of an animal caretaker who has a background in animal husbandry or care. [02 NCAC 52J .0208] - In Compliance

The director advised there are 7 employees working at the shelter. Today my inspection began at 9:30 AM. I was advised by a staff member that cleaning had not begun because the staff had to get their work badges renewed. Cleaning began during my inspection.

02 NCAC 52J .0209 CLASSIFICATION AND SEPARATION

1. Animals in the same primary enclosure maintained in compatible groups. [02 NCAC 52J .0209] - In Compliance
2. Females in season (estrus) not be housed in the same primary enclosure with males except for planned breeding. [02 NCAC 52J .0209(1)] - In Compliance
3. Breeding not allowed in animal shelters. [02 NCAC 52J .0209(1)]- In Compliance

4. Aggressive animals housed individually in a primary enclosure. [02 NCAC 52J .0207(2)] - In Compliance
5. Puppies or kittens less than four months of age housed in the same primary enclosure with adults without written permission. [02 NCAC 52J .0209(3)] - In Compliance
6. Puppies or kittens between 4 and 16 weeks of age have daily access to human social interaction. [02 NCAC 52J .0209(3)] - In Compliance
7. Dogs not housed in the same primary enclosure with cats; dogs or cats not housed in the same primary enclosure with any other species of animals without written permission. [02 NCAC 52J .0209(4)] - In Compliance
8. Designated isolation area for animals being treated or observed for communicable diseases. [02 NCAC 52J .0209(5)] - In Compliance
9. Dogs or cats in isolation that are being treated for a communicable disease separated as to minimize dissemination of disease. [02 NCAC 52J .0209(5)] - In Compliance
10. A sign posted at the cage or isolation area when in use. [02 NCAC 52J .0209(5)] - In Compliance
11. Animals in long term care:
 - Daily access to both human and same species social interaction. [02 NCAC 52J .0209(6)(a)] - **Not In Compliance**
 - Daily access to space other than the primary enclosure. [02 NCAC 52J .0209(6)(b)] - **Not In Compliance**
 - A species and size-appropriate toy, unless it poses a health threat. [02 NCAC 52J .0209(6)(c)] - **Not In Compliance**
12. All animals confined in primary enclosures or exercise areas. [02 NCAC 52J .0209(7)] - In Compliance

11 (a, b, c) I noted several dogs that have been housed in this shelter more than 30 days. These dogs qualify as long term care dogs. I did not see any documentation to indicate these dogs have any type of social interaction, daily access to space other than enclosure for exercise or any type of appropriate toy. Each dog or cat that is housed in a shelter 30 days or longer is required to have social interaction to both human and same species, daily access to space other than enclosure for exercise and a size appropriate toy.

02 NCAC 52J .0210 VETERINARY CARE

1. Written program of veterinary care. [02 NCAC 52J .0210(a)] - **Not In Compliance**
2. Veterinarian's written recommendations for correcting disease problem that persists for more than 30 days obtained and followed [02 NCAC 52J .0210(b)] - In Compliance
3. Daily observation of animals. [02 NCAC 52J .0210(c)] - **Not In Compliance**
4. Sick or diseased, injured, lame, or blind dogs or cats provided with veterinary care [02 NCAC 52J .0210(c)] - **Not In Compliance**
5. If euthanasia is performed, a list of personnel approved to perform euthanasia maintained in a Policy and Procedure Manual as described in 02 NCAC 52J .0800. [02 NCAC 52J .0210(c)] - In Compliance
6. Diseased or deformed animals sold or adopted only under the policy set forth in the "Program of Veterinary Care." [02 NCAC 52J .0210(c)] - In Compliance
7. Full written disclosure of the medical condition provided to the new owner. [02 NCAC 52J .0210(c)] - In Compliance
8. All animals in a licensed or registered facility in compliance with the North Carolina rabies law, G.S. 130A, Article 6, Part 6. [02 NCAC 52J .0210(d)] - **Not In Compliance**
9. However, rabies vaccine not required for any dog or cat known to be less than 12 weeks old or until such animals have been in the shelter at least 15 days. [02 NCAC 52J .0210(d)] - **Not In Compliance**

1 Black Male Lab Mix # 02142 "Pax" impound date 12/18/2019 was not vaccinated for Distemper or Parvo as required on the Program of Veterinary Care. # 3 & # 4 Black Male Lab Mix "Pax" # 02142 impound date 12/18/2019. Upon intake the presence of a broken leg was missed even during the hosing and cleaning of his kennel. The staff stated the dog was moved out of his kennel for cleaning. Pax was diagnosed with a broken femur on the right rear leg on 01/02/2020 by veterinarian after staff noted on 12/19/2019 on the impound sheet the dog was not bearing weight on the right rear leg. This dog was housed in this shelter from 12/18/2019 to 01/2/2020 without being seen by a veterinarian. It was not bearing weight on it's right rear leg. The director and aco who impounded the dog stated the reason for not performing an assessment on the dog was due to it's aggressiveness. I advised the director and aco that Animal Welfare wants the staff to perform all assessments in a safe manner - safety first - but they must never allow an animal to come to the shelter without performing an assessment especially when there is a noted lameness, illness or injury. # 4 Black Male Lab Mix # 02142 impound date 12/18/2019 was not provided adequate veterinary care. # 8 & 9 Black Male Lab Mix # 02142 estimated age 2 - 3 years, has been housed in the shelter for 15 days and has not received a Rabies Vaccination. Today 1/06/20, continuing follow up inspection, this dog still has not received a Rabies vaccine. I noted controlled substances in this shelter that were not stored according to DEA regulations.

02 NCAC 52J .0301 VEHICLES

1. Vehicles mechanically sound. [02 NCAC 52J .0301(a)] - In Compliance
2. Vehicles equipped to provide fresh air to animals without harmful drafts. [02 NCAC 52J .0301(a)] - In Compliance
3. The animal cargo space constructed and maintained to prevent engine exhaust fumes from getting to the animals. [02 NCAC 52J .0301(b)] - In Compliance
4. The interior of the animal cargo space kept clean and sanitized. [02 NCAC 52J .0301(c)] - In Compliance

02 NCAC 52J .00302 PRIMARY ENCLOSURES USED IN TRANSPORTING DOGS AND CATS

1. Primary enclosures constructed, ventilated and designed to protect the health and insure the safety of the animals. [02 NCAC 52J .0302(a)] - In Compliance
2. Such enclosures constructed or positioned so that:
 - o Each animal in the vehicle has sufficient fresh air for normal breathing. [02 NCAC 52J .0302(a)(1)] - In Compliance
 - o The openings of enclosures are easily accessible for emergency removals. [02 NCAC 52J .0302(a)(2)] - In Compliance
 - o The animals are adequately protected from the elements. [02 NCAC 52J .0302(a)(3)] - In Compliance
3. The ambient temperature maintained between 50°F and 85°F. [02 NCAC 52J .0302(a)] - In Compliance
4. The animal containment units are equipped with operable air-conditioning, forced-air cooling and heating or other temperature control mechanisms. [02 NCAC 52J .0302(a)] - In Compliance
5. Animals in the same primary enclosure are of the same species. [02 NCAC 52J .0302(b)] - In Compliance
6. Puppies or kittens less than 4 months of age not be transported in the same primary enclosures with adults other than their dams. [02 NCAC 52J .0302(b)] - In Compliance
7. Primary enclosures for transport large enough for each animal to turn about freely, and to easily stand, sit or lie down in a natural position. [02 NCAC 52J .0302(c)] - **Not In Compliance**
8. Primary enclosures for transport secured to the vehicle to prevent sliding or tipping of the enclosure during transit. [02 NCAC 52J .0302(c)] - In Compliance
9. Animals not be placed in primary enclosure over other animals in transit unless such enclosures is constructed so as to prevent animal excreta from entering lower enclosures. [02 NCAC 52J .0302(d)] - In Compliance
10. All primary enclosures for transport sanitized between use for shipments. [02 NCAC 52J .0302(e)] - In Compliance

7 The cat transport carriers are not large enough for the cat to turn around freely, stand, or lie down in a natural position. I have advised the on call aco and the staff that cat carriers and dogs and cats in traps are to be transported in a manner where there is weather protection for the animal.

02 NCAC 52J .0303 FOOD AND WATER REQUIREMENTS

1. If animals are transported for more than 12 hours:
 - o The vehicles stop at least once every 12 hours for a period of 1 hour. During the 1-hour stop, potable water continuously provided for dogs and cats. [02 NCAC 52J .0303(1)]- Not Applicable
 - o Adult dogs and cats fed at least once during each 24-hour period. [02 NCAC 52J .0303(2)]- Not Applicable
 - o Puppies and kittens less than 6 months of age fed every 6 hours. [02 NCAC 52J .0303(2)]- Not Applicable
 - o Dogs removed from the vehicle, given fresh water and given the opportunity for exercise if they have been confined in the vehicle for 36 hours. [02 NCAC 52J .0303(3)]- Not Applicable

02 NCAC 52J .0304 CARE IN TRANSIT

1. The attendant or driver inspects animals frequently enough to assure health and comfort and to determine if they need emergency care and to obtain it if needed. [02 NCAC 52J .0304] - In Compliance

The on call aco and staff at this shelter have been advised to make sure there is weather protection when transporting dogs and cats.

§19A-32.1 MINIMUM HOLDING PERIOD

1. All animals held for a minimum holding period (MHP) of 72 hours. [§19A-32.1(a)] - In Compliance
2. Animal made available for adoption unless exempted by §19A-32.1(b)(1-3). [§19A-32.1(a)] - In Compliance
3. Seriously ill or injured animal euthanized before the expiration of the MHP: a) Determination in writing from the animal shelter manager; and b) the writing includes the reason for the determination. [§19A-32.1(b)(2)] - In Compliance
4. Viewing for lost pet: a) entitled to view every animal; and b) at least 4 hours a day, 3 days a week. [§19A-32.1(c)] - In Compliance
5. Reasonable arrangements allow pet owners to determine whether their lost pets are amongst animals in restricted areas. [§19A-32.1(c)] - In Compliance
6. Fostering during MHP: at least 1 photograph displayed in a conspicuous location. [§19A-32.1(d)] - In Compliance
7. Foster care policies. [§19A-32.1(e)] - Needs Improvement
8. Owner surrendered and not reclaimed during the MHP: a) be returned to the owner, b) adopted, or c) euthanized. [§19A-32.1(f)] - In Compliance
9. Owner surrender disposed of before the expiration of the MHP: a) proof of ownership provided; and b) signed written consent to the disposition before the expiration of the MHP. [§19A-32.1(g)] - In Compliance
10. Owner surrender: statement in writing whether the dog has bitten any individual within the previous 10 days. [§19A-32.1(h)] - In Compliance
11. The person to whom an animal is released presents a valid form of government-issued photographic identification. [§19A-32.1(i)] - In Compliance
12. Documentation of the name of the person, the type of ID and the ID number. [§19A-32.1(i)] - In Compliance
13. Record of all animals impounded at the shelter maintained. [§19A-32.1(j)] - In Compliance
14. Retain the animal records for at least 3 years from the date of impoundment. [§19A-32.1(j)] - In Compliance
15. Animal records available for inspection during regular inspection or upon request of AWS. [§19A-32.1(j)] - In Compliance

16. Records contain at a minimum: date of impoundment, length of impoundment, disposition of each animal, name and address of person to whom the animal was released, any institution that person represents, and the identifying information; other information required by rules adopted by the Bd of Ag. [§19A-32.1(j)(1-4)] - In Compliance

7 The foster care policy at this shelter needs revision to include a medical care foster.

02 NCAC 52J .0418 DUTIES OF CET

1. Prepare animals for euthanasia. [02 NCAC 52J .0418(1)] - Not Applicable
2. Record animal id and number, species, sex, breed, date, dosages used and amounts wasted [02 NCAC 52J .0418(2)] - **Not In Compliance**
3. Order euthanasia supplies. [02 NCAC 52J .0418(3)] - In Compliance
4. Maintain security of controlled substances and other drugs. [02 NCAC 52J .0418(4)] - **Not In Compliance**
5. Directly supervise probationary Euthanasia technicians. [02 NCAC 52J .0418(5)] - Not Applicable
6. Report violations or suspicions of a rule violation. [02 NCAC 52J .0418(6)] - In Compliance
7. Properly euthanize animals. [02 NCAC 52J .0418(7)] - Not Applicable
8. Properly dispose of euthanized animals. [02 NCAC 52J .0418(8)] - In Compliance
9. Properly dispose of expired drugs and used euthanasia materials/equipment [02 NCAC 52J .0418(8)] - In Compliance
10. Notify AWS of CET separation from facility. [02 NCAC 52J .0418(10)] - In Compliance

There were no animals to be euthanized on this inspection. # 2 Dog # 02142 was given sedation drugs on 1/2/20 to transport it to the vet but there is no record of this in the drug log. All control drugs and sedation drugs must be logged in the drug log. On this continuing inspection 01/07/20 I have been verbally advised that dog # 02142 was given sedation drugs on 01/07/20 to be transported by the adoption group to have surgery on it's broken leg. The paperwork was emailed to me but there is no record on the medical log indicating sedation drugs were given to this dog. # 4 I noted there are controlled substances in the shelter not secured according to DEA regulations.

02 NCAC 52J .0501 INTRACARDIAC INJECTION

1. IC injection only on anesthetized or heavily sedated animals. [02 NCAC 52J .0501] - Not Applicable

There were no animals to be euthanized on this inspection.

02 NCAC 52J .0705 REPORTS OF EUTHANASIA UNDER EXTRAORDINARY CIRCUMSTANCES

1. Report prepared of euthanasia under extraordinary circumstances. [02 NCAC 52J .0705] - Not Applicable
2. Reports kept for 2 years. [02 NCAC 52J .0705] - Not Applicable
3. Report includes date, time, animal id, person performing the euthanasia, euthanasia method, and justification of extraordinary circumstances [02 NCAC 52J .0705] - Not Applicable

02 NCAC 52J .0801 EUTHANASIA MANUAL REQUIRED

1. Facility has current policy and procedure euthanasia manual. [02 NCAC 52J .0801] - In Compliance

02 NCAC 52J .0802 CONTENTS OF EUTHANASIA MANUAL

1. Manual includes shelter's equipment, and process. [02 NCAC 52J .0802] - In Compliance

02 NCAC 52J .0803 ADDITIONAL CONTENTS

Euthanasia manual shall be kept consistent with the publications listed below and reflect the current information for each. The manual shall include:

1. Current NC AWA and rules. [02 NCAC 52J .0803(1)] - In Compliance
2. Report of the AVMA Panel on Euthanasia – current revision, replacement, supplements or changes [02 NCAC 52J .0803(2)] - In Compliance
3. HSUS Euthanasia Training Manual – current copy. [02 NCAC 52J .0803(3)] - In Compliance
4. American Humane Association current euthanasia publication. [02 NCAC 52J .0803(4)] - In Compliance
5. Methods of euthanasia used by shelter and policy/procedures for each method. [02 NCAC 52J .0803(5)] - In Compliance
6. List of CET's, methods of euthanasia in which they are trained and date of training. [02 NCAC 52J .0803(6)] - In Compliance
7. Name, address and contact information for veterinarian responsible for the Annual Program of Veterinary Care. [02 NCAC 52J .0803(7)] - In Compliance
8. Name, address and contact information for veterinarians responsible for veterinary medical care of the animals. Contact information to include telephone numbers for working hours, after hours and holidays [02 NCAC 52J .0803(8)] - In Compliance
9. Euthanasia procedure for emergencies, after hours, holidays and weekends. [02 NCAC 52J .0803(9)] - In Compliance
10. Procedures when CET is absent and euthanasia is needed. [02 NCAC 52J .0803(10)] - In Compliance

11. Methods for verifying death after euthanasia. [02 NCAC 52J .0803(11)] - In Compliance
12. Name and contact information for euthanasia solution and tranquilizer/anesthesia drugs supplier(s). [02 NCAC 52J .0803(12)] - In Compliance
13. Original US DEA controlled substance registration [02 NCAC 52J .0803(13)] - In Compliance
14. MSDS for any chemical used for euthanasia [02 NCAC 52J .0803(14)] - In Compliance
15. MSDS for any anesthetic or tranquilizing drug used in facility. [02 NCAC 52J .0803(15)] - In Compliance
16. Notice of signs of human exposure to euthanasia agents. [02 NCAC 52J .0803(16)] - In Compliance
17. First aid procedures of accidental human exposure to euthanasia agents [02 NCAC 52J .0803(17)] - In Compliance
18. Contact information for medical treatment providers to include name of facility, telephone number for working and after hours, and directions to facility including a map [02 NCAC 52J .0803(18)] - In Compliance
19. If medical treatment provider does not provide after-hours service, then contact information for nearest emergency medical facility providing such service [02 NCAC 52J .0803(18)] - In Compliance

General Comments:

This follow up inspection is noted disapproved.

Inspection Result:

Disapproved

Inspector's Signature	Date
 Pat Sholar	01/03/2020
Facility Representative's Signature	Date
Loretta Shipman & Christina Craig were present during this inspection.	01/03/2020