



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

September 12, 2019

Erica Erikson
Pisgah Animal Welfare Society (PAWS), Inc.
7123 Asheville Highway
Pisgah Forest, NC 28768

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 .0204(f); .0209(5) and .0210(c) and NOTICE of WARNING for VIOLATIONS of N.C.G.S. §19A-32.1(j)(1-4) and 02 NCAC 52J .0101(4) and (5); .0204(g); .0205(b); .0207(a) and (d); .0208; .0209(3) and .0210(b).

AWS-CP-2019-14

Facility: Pisgah PAWS Cat Café and Emporium
Registration No. 375

Dear Ms. Erickson:

Pursuant to N.C.G.S. § 19A-40, I am issuing this notice that Pisgah Animal Welfare Society (PAWS), Inc., as owner of Pisgah PAWS Cat Café and Emporium, is hereby assessed a civil penalty of \$850.00 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 cursive script that reads "Patricia Norris DVM, MS".

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
PIGSAH ANIMAL WELFARE	)	for VIOLATIONS of TITLE 2
SOCIETY (PAWS), INC.	)	N.C. ADMINISTRATIVE CODE ("NCAC")
OWNER of	)	CHAPTER 52J SECTIONS .0204(f);
PIGSAH PAWS	)	.0209(5); and .0210(c); and NOTICE
CAT CAFÉ AND EMPORIUM	)	of WARNING for VIOLATIONS of
	)	N.C.G.S. §19A-32.1(j) and NCAC 52J
	)	.0101(4) and (5); .0204(g); .0205(b);
	)	.0207(a) and (d); .0208; .0209(3); and
	)	.0210(b).

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, Pisgah Animal Welfare Society (PAWS), Inc. was the owner of Pisgah PAWS Cat Café and Emporium located at 190 N. Broad Street, Brevard, NC ("the shelter"), an animal shelter, registered pursuant to N.C.G.S. § 19A-26.
2. On August 9, 2019, AWS received a complaint concerning the care of the animals at the shelter. AWS opened an investigation based on the information contained in the complaint.
3. During the course of this investigation, AWS received an additional complaint on August 21, 2019 also concerning the care of the animals at the shelter. AWS combined the two complaints into one investigation.
4. The investigation into the two complaints revealed:
 - a. On July 27, 2019, one of the complainants adopted a cat she named "Big Boy" from the shelter. The shelter's name for the cat was "Joe." The complainant stated that she did not receive any paperwork from the shelter at the time of adoption. Furthermore, she stated that when she went back again to get the adoption paperwork, including the rabies certificate and other medical records the shelter would not give her any documents concerning this cat. The complainant stated that Ms. Erikson stated that the paperwork had been lost. Due to the multiple health issues affecting this cat, the complainant returned the cat to the shelter.
 - b. On August 27, 2019, AWS Animal Health Technicians Joshua James ("Inspector James") and Christie Shore ("Inspector Shore") conducted the site visit portion of this investigation.
 - c. During the August 27, 2019 site visit ("the site visit"), Inspector James requested to see all the paperwork for the cat named Big Boy (Joe) adopted and later returned by the complainant. The shelter was unable to produce the documentation required by N.C.G.S § 19A-32.1(j) and 02 NCAC 52J .0101(4) and (5), such as medical records, adoption/disposition information or

the return/re-impoundment information. Ms. Erikson stated to Inspector James that this paperwork was not available because the complainant requested that no records be kept so that she would not be criticized for returning the cat. Statements from the complainant directly contradict Ms. Erikson's statements concerning the paperwork for the return of this cat.

- d. During the site visit, an estimated 30 cats were housed in the main primary enclosure, which far exceeds the maximum number of 12 cats per primary enclosure allowed by 02 NCAC 52J .0204(f).
- e. In this main primary enclosure, which housed an estimated 30 cats, only 5 litter boxes were provided. These litter boxes were full of feces. 02 NCAC 52J .0204(g) requires that a receptacle containing clean litter shall be provided for waste in cat enclosures and that a minimum of 1litter receptacle per 3 cats be provided.
- f. At the time of the site visit, only 6 food receptacles were available for the estimated 30 cats. While not all the cats were adults, there were more than 6 adult cats loose in the main primary enclosure. This lack of sufficient feeding receptacles is in violation of 02 NCAC 52J .0205(b), which requires one receptacle per adult cat. In addition, lids from opened cat food cans were present within the main primary enclosure, creating a risk of injury to the animals.
- g. The population of ~30 cats in the main primary enclosure included adult cats and kittens of various ages, many of which appeared to be under the age of 4 months. The kitten named Abigail, which Inspector James directed the shelter to provide veterinary care for immediately, was estimated by the veterinarian on September 4, 2019 to be 14 weeks of age. This mixture of kittens less than 4 months of age and adult cats that are not their dams is not in compliance with 02 NCAC 52J .0209(3).
- h. The Inspectors drove by the facility at 8:05 AM on the day of the site visit and noted that there were no lights on in the building and no cars parked near the building. Starting at approximately 9 AM, the Inspectors remained outside the building continuously until Ms. Erikson arrived at approximately 12:15 PM. During this interval, no one entered or left the building and no lights were visible.
- i. Upon entry for the site visit, it appeared that the facility had not been cleaned that day. The cleaning hours stated on the registration application are 10 AM – 12 PM for the first cleaning and 4 PM – 8 PM for the second cleaning. The water containers were almost empty and most of the water was dirty. The litter boxes were filled with waste and there was a large amount of urine on the floor around the litter boxes. There was an accumulation of spilled litter, cat hair, dander and debris on the floor.
- j. During the site visit, Inspector James noted a significant amount of flea "dirt" accumulated on surfaces such as the table tops and water containers. He noted that most of the cats were scratching and several had thinning hair consistent with flea infestations. 02 NCAC 52J .0207(d) requires that an effective program for the control of ectoparasites be established and maintained.
- k. When asked about the morning cleaning, Ms. Erikson claimed that a new volunteer, "Jessica," had been dropped off at approximately 8 AM and had done the cleaning. A volunteer who arrived during the site visit stated that she had dropped Jessica off and let her into the building. The volunteer stated that this was this Jessica's first day and that she had not been trained in the proper cleaning of the facility. When asked for contact information for Jessica so that the Inspectors could speak with her, Ms. Erikson and the other volunteer claimed that they had no contact information for Jessica and could not get in touch with her. Even assuming this is true, having a new volunteer with no training left on her own on her first day to clean the facility is

not in compliance with 02 NCAC 52J .0208 which requires the shelter's husbandry practices be under the supervision of an animal caretaker who has a background in animal husbandry or care.

- l. When asked about the morning cleaning of the individual cages housing cats, Ms. Erikson replied that she was the only person who was allowed to clean them. The cages were very soiled, and the water in the bowls was dirty. Ms. Erikson restated that she was the only one who was to clean the cages and that she had cleaned them the night before.
- m. Immediately upon entry of the facility, the Inspectors heard several cats sneezing and noted numerous cats showing visible signs of contagious disease such as ocular and nasal discharges and skin lesions. The cats showing these symptoms were housed in with the general population of animals that appeared to be healthy.
- n. When asked why the animals with apparent contagious diseases were not isolated, Ms. Erikson replied that she did not have the space to isolate all the sick animals. When asked, she affirmed that the sick animals were being housed in the main primary enclosure, by which the public enters and interacts with the cats. 02 NCAC 52J .0209(5) requires that a facility designates an isolation area for animals being treated or observed for communicable diseases. Cats in isolation shall be separated from other cats in such a manner as to minimize dissemination of such disease. A sign shall be posted at the cage or isolation area when in use, giving notice of a communicable disease. No such notice was posted at the facility at the time of the site visit.
- o. When asked about the provision of veterinary care for the animals suffering from infectious diseases, Ms. Erikson said she was giving them antibiotics under the direction of a licensed veterinarian. Ms. Erikson produced a large bottle of amoxicillin/clavulanate with the dispensing date of June 16, 2018. The label on the bottle stated it was for "KITTENS ERIKSON (FEL)" with an address different from the address of the shelter. The dispensing directions stated: "USE AS DIRECTED." Ms. Erikson did not produce any written instructions or standing protocols from a licensed veterinarian concerning the administration of this prescription medication.
- p. During the site visit, Ms. Erikson claimed to have provided treatment to many of the cats for Upper Respiratory Infections ("URI") and ringworm. Most of the claims could not be substantiated by the medication logs, as many of the animals' records did not have the documentation of the allegedly administered medications as required by 02 NCAC 52J .0101(5).
- q. In addition, a review of the medical records shows that some of animals appear to be have been suffering from URI and/or ringworm for more than 30 days. 02 NCAC 52J .0210(b) requires that, should a disease problem persist for more than 30 days at the facility, the facility operator shall obtain and follow a veterinarian's written recommendations for correcting the problem. No such written veterinary recommendations had been obtained by the facility.
- r. Two cats, Abigail (a kitten) and Patsy/Noel appeared to be suffering significantly from a visible medical condition. A review of the shelter's medical records for these 2 animals did not show any recent veterinary care. Inspector James directed Ms. Erikson to have a licensed veterinarian examine these cats as soon as possible and to notify AWS of the findings. Ms. Erikson stated she had already called the veterinary clinic she used and had an appointment scheduled for these animals for the afternoon of August 28, 2019. The Inspectors visited the veterinary clinic after the shelter site visit and spoke with the front desk staff. The staff

relayed that there was no appointment scheduled for Ms. Erikson or the cats from the shelter for August 28, 2019 and that they had not received any phone call from her recently.

- s. After Inspector James made an additional request on August 29, 2019 for the medical records of the veterinary examinations for these cats, Ms. Erikson relayed that she had not taken them to the veterinary clinic until September 4, 2019.
- t. An additional inquiry at the veterinary clinic for information concerning the veterinary care administered to animals in the care and custody of the shelter revealed that the clinic had not seen any animal since the shelter had become registered other than the 2 cats that Inspector James had directed Ms. Erikson to have examined.

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(j) (1) – (4) for failing to maintain a record of all animals impounded at the shelter and retaining those records for a period of at least three years from the date of impoundment and making those records available for inspection upon the request of a representative of the Animal Welfare Section;

02 NCAC 52J .0101(4) for failing to maintain records showing the disposition of animals including name and address of person to whom animal is sold, traded or adopted and the date of such transaction;

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;

02 NCAC 52J .0204(f) for housing more than 12 cats in the same primary enclosure;

02 NCAC 52J .0204(g) for failing to provide a minimum of one receptacle with clean litter for waste per three cats;

02 NCAC 52J .0205(b) for failing to provide at least one food receptacle for every adult animal;

02 NCAC 52J .0207(a) for failing to properly clean enclosures a minimum of two times per day;

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

02 NCAC 52J .0208 for failing having sufficient number of employees to maintain the prescribed level of husbandry practices set forth in the Rule and having the practices under the supervision of an animal caretaker who has a background in animal husbandry or care

02 NCAC 52J .0209(3) for housing kittens less than 4 months of age in the same primary enclosure with adult cats other than their dams;

02 NCAC 52J .0209(5) for failing to designate an isolation area for animals being treated or observed for communicable disease, failing to separate animals in isolation from other animals in

such a manner as to minimize dissemination of such disease and failing to post a sign at the cage or isolation area giving notice of a communicable disease;

02 NCAC 52J .0210(b) for failing to obtain and follow a veterinarian's written recommendations for correcting a disease problem that persisted for more than 30 days at the facility; and

02 NCAC 52J .0210(c) for failing to euthanize or provide veterinary care to sick and diseased animals and failing to provide full written disclosure of the medical condition of an animal to the new owner.

(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, Pisgah Animal Welfare Society (PAWS), Inc. is hereby assessed a civil penalty for the following violations:

\$100.00 for violation of 02 NCAC 52J .0204(f) for housing more than 12 cats in the same primary enclosure;

\$250.00 for violation of 02 NCAC 52J .0209(5) for failing to designate an isolation area for animals being treated or observed for communicable disease and failing to separate animals in isolation from other animals in such a manner as to minimize the dissemination of such disease; and

\$500.00 for violation of 02 NCAC 52J .0210(c) for failing to provide veterinary care for sick and diseased animals.

\$850.00 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 hereby directed to immediately correct all violations noted herein and comply with the AWA and its associated regulations.

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 license 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.

September 12, 2019
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.

(j) Animal shelters shall maintain a record of all animals impounded at the shelter, shall retain those records for a period of at least three years from the date of impoundment, and shall make those records available for inspection during regular inspections pursuant to this Article or upon the request of a representative of the Animal Welfare Section. These records shall contain, at a minimum:

- (1) The date of impoundment.
- (2) The length of impoundment.
- (3) The disposition of each animal, including the name and address of any person to whom the animal is released, any institution that person represents, and the identifying information required under subsection (i) of this section.
- (4) Other information required by rules adopted by the Board of Agriculture.

§ 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 .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

(b) Food receptacles shall be accessible to all dogs or cats and shall be located so as to minimize contamination by waste. For every adult animal, there must be at least one food receptacle offered. Food receptacles shall be durable and shall be kept clean and sanitized. Damaged receptacles shall be replaced. Disposable food receptacles may be used but must be discarded after each feeding.

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.

(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 .0208 EMPLOYEES

A sufficient number of employees shall be utilized to maintain the prescribed level of husbandry practices set forth in this Rule. Such practices shall be under the supervision of an animal caretaker who has a background in animal husbandry or care.

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

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:

- (3) Puppies or kittens less than four months of age shall not be housed in the same primary enclosure with adult dogs or cats other than their dams, except when permanently maintained in breeding colonies, or if requested in writing, by the animals' owner, as in a boarding kennel. Puppies or kittens between 4 and 16 weeks of age shall have daily access to human social interaction, excluding animals which pose a danger to humans or other animals.
- (5) All facilities shall designate an isolation area for animals being treated or observed for communicable diseases. Dogs or cats in isolation that are being treated for a communicable disease shall be separated from other dogs or cats and other susceptible species of animals in such a manner as to minimize dissemination of such disease. A sign shall be posted at the cage or isolation area when in use, giving notice of a communicable disease.

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

02 NCAC 52J .0210 VETERINARY CARE

(b) If there is a disease problem that persists for more than 30 days at the facility, the facility operator shall obtain and follow a veterinarian's written recommendations for correcting the problem.

(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.

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