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Commissioner

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

**Christina L. Waggett**  
Assistant Commissioner  
for Consumer Protection

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State Veterinarian

February 18, 2026

Dianne Cowand  
President  
Roanoke Chowan Humane Society  
d.b.a. Bertie County Humane Society  
217 County Farm Road  
Windsor, NC 2793880  
Via email  
[bertiecountyhumanesociety@yahoo.com](mailto:bertiecountyhumanesociety@yahoo.com)

**NOTICE of WARNING and NOTICE of VIOLATION**

**Re: VIOLATIONS of TITLE 02 N.C. ADMINISTRATIVE CODE (“NCAC”) CHAPTER 52J SECTIONS .0101(3), (5) and (6); .0201(s); and .0210(a)(3) and (d).**

**AWS-WL-2026-1**

**Facility: Bertie County Humane Society Animal Shelter  
Registration Number: 315**

Dear President Cowand:

On December 14, 2025, AWS received a complaint alleging that the shelter adopted out an aggressive dog and had failed to provide veterinary care for its heartworm infection. The dog bit people on several occasions and was euthanized. Based on this information, AWS opened an investigation. The investigation centered on possible violation(s) of the N.C. Animal Welfare Act (“AWA”) as these statutes and associated regulations are the extent of the jurisdiction of AWS.

On December 15, 2025, AWS Veterinary Program Specialist Lynn (“Inspector Lynn”) conducted the site visit portion of the complaint investigation. The following information was obtained during this site visit:  
President Cowand stated that this dog, named Jacob, was transferred from the Bertie County Animal Shelter directly to a foster care provider. She stated that the dog was at this location for nearly a year and was being treated with the “slow-kill” heartworm treatment regime. As the shelter records were not kept at the shelter, Ms. Cowand stated she would send them to Inspector Lynn.

Inspector Lynn spoke with the foster care provider and learned the following:

- a. Ms. Coleson picked up Jacob from the Bertie County Animal Shelter to foster on September

- 29, 2024;
- b. Ms. Coleson recalls administering heartworm prevention and doxycycline (the 2 medications used in the “slow-kill” heartworm treatment regime) and flea prevention regularly. She also administered Rimadyl for pain relief after Jacob’s neutering surgery;
  - c. Ms. Coleson did not document the administration of any of these medications; and
  - d. Ms. Coleson fostered Jacob until he was fostered by the complainant, Ms. Sassin, on October 15, 2025.

A review of the documents provided to the complainant from the shelter showed the following:

- a. Ms. Sassin fostered Jacob starting on October 15, 2025;
- b. Ms. Sassin adopted Jacob on October 24, 2025; and
- c. The intake form for Jacob with the header of “Roanoke Chowan Humane Society aka Bertie County Humane Society” has the intake date as August 13, 2024. This intake form also states “Adopted 1/18/25 Brooke/James Perkins.”

A review of the documents provided to Inspector Lynn by the shelter on December 17, 2025 showed the following:

- a. The intake form for Jacob showed that that the intake form with the header of “Roanoke Chowan Humane Society aka Bertie County Humane Society” has the intake date as August 13, 2024. In violation of 02 NCAC 52J .0101(6), this record was inaccurate as the shelter was not transferred custody of Jacob from the Bertie County Animal Shelter until September 29, 2024;
- b. Heartgard® (a heartworm preventative medication) was administered to Jacob on August 15, 2024 and September 15, 2024 prior to a heartworm test being performed. The records show that the heartworm test done on October 28, 2024 was positive;
- c. The documentation of the administration of Heartgard® and Nexgard® on August 15, 2024, September 15, 2024, November 1, 2024, January 1, 2025, April 4, 2025, May 8, 2025, and September 13, 2025 did not contain the dosage, time, initial of the person administering the medication in violation of 02 NCAC 52J .0101(5);
- d. There was no documentation of the administration of the prescribed Rimadyl® or doxycycline while Jacob was in the care and custody of the shelter in violation of 02 NCC 52J .0101(5); and
- e. In violation of 02 NCAC .0101(6), the intake record provided to AWS was altered from the original intake record provided to Ms. Sessin. The original intake record provided to Ms. Session contains the language “Adopted 1/18/25 Brooke/James Perkins.” The intake record provided to AWS did not have this language and new text was added in its place.

Inspector Lynn contacted Ms. Perkins on January 31, 2026. Ms. Perkins also provided a written statement. These communications revealed the following information:

- a. Ms. Perkins had adopted Jacob for a 2-week trial on January 18, 2025 and returned Jacob to the shelter on January 23, 2025 because he had bitten her husband twice causing breaks in the skin and had aggression issues with their cat;
- b. Ms. Perkins said there was no paperwork filled out when she took custody of Jacob or when she returned him to the shelter; and
- c. Ms. Perkins provided texts between herself and the shelter staff detailing the aggression issues.

In violation of 02 NCAC 52J .0101(3), the shelter did not document Jacob's location for January 18-23, 2025 as there are no records of the trial adoption or the address where Jacob stayed during this time. In response to Inspector's Lynn inquiry about this trial adoption, on January 30, 2025, Ms. Cowand responded, "Jacob was in foster care when [sic] left the shelter. He was only adopted once." On February 9, 2025, Ms. Cowand emailed a response saying, "He went to a possible foster to adopt."

When Inspector Lynn learned of the 2 bites to Mr. Perkins by Jacob, she asked the shelter if a bite report had been filed with Animal Control for Jacob. She received an email on February 9, 2025 signed by Ms. Cowand and Gina Senato stating: "NO....a bite report was not done by us or animal control because he never bit anyone."

A review of the package insert for Heartgard® shows the following language:

- a. **CAUTION:** Federal law restricts this drug to use by or on the order of a licensed veterinarian; and
- b. **PRECAUTIONS:** All dogs should be tested for existing heartworm infection before starting treatment with HEARTGARD®. . . A mild hypersensitivity-type reaction, presumably due to dead or dying microfilariae and particularly involving a transient diarrhea, has been observed in clinical trials with ivermectin (the active ingredient in this medication) after the treatment of some dogs that have circulating microfilariae.

Inspector Lynn asked Ms. Cowand if Jacob had been prescribed Heartgard® by a licensed veterinarian and was told the following:

- a. Heartgard® was not prescribed for Jacob by a licensed veterinarian;
- b. The shelter does not have any veterinary standing orders from a veterinarian directing or instructing them on the use of prescription medication when an animal has not been examined by a veterinarian; and
- c. In violation of 02 NCAC 52J .0210(d), the shelter routinely gives prescription heartworm and flea medications to other dogs when they have leftover medications without first obtaining a prescription from a licensed veterinarian or consulting with a veterinarian for that specific animal.

A review of the shelter's Program of Veterinary Care ("PVC") as submitted as part of the shelter's AWS animal shelter renewal application for 2025 showed the following:

- a. For the second question in this part of the renewal application, the shelter wrote: "We use strongid [sic] and/or Panacur for worming. Advantage Multi and/or Revolution for fleas/ticks treatment.
- b. In violation of 02 NCAC 52J .0210(a)(3), the shelter failed to follow its PVC in the provision of flea treatment to Jacob.

On February 16, 2026, when asked for the shelter's written standards for an "approved foster care provider" with all the information required by 02 NCAC .0201(s), Ms. Cowand stated that they did not have these written standards.

## 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 the AWS investigation, AWS finds that the shelter violated the following provisions:

02 NCAC 52J .0101(3) for failure to properly document the location of Jacob from January 18 – 23, 2025 when he was on a trial adoption as noted on January 31, 2026.

02 NCAC 52J .0101(5) for failure to properly document the administration of multiple medications to Jacob as noted on December 17, 2025.

02 NCAC 52J .0101(6) for failure to maintain accurate shelter records as the intake information for Jacob was incorrect and the records provided to AWS had been altered as noted on December 17, 2025.

02 NCAC 52J .0201(s) for failure to maintain written standards for an “approved foster care provider.”

02 NCAC 52J .0210(a)(3) for failure to follow the shelter’s PVC.

02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to Jacob as the shelter administered prescription heartworm preventative medication without a prescription from a licensed veterinarian. The heartworm status of Jacob was unknown at the time of the administration of the first 2 doses of this medication. Jacob was later found to be heartworm positive. Therefore, the administration of this prescription medication constituted a risk to Jacob’s health as heartworm positive dogs may have a hypersensitivity reaction when administered this medication. This violation was noted on December 17, 2025.

Pursuant to NCGS §§ 19A-30 and 19A-40, these violations can result in the suspension, revocation, or refusal to renew a registration for any animal shelter and/or the assessment of a civil penalty of up to \$5,000 per violation.

This Warning Letter serves as written notice indicating in which respects the shelter violated the N.C. Animal Welfare Act (“AWA”) and the rules issued pursuant thereto. The shelter is directed to immediately comply with the AWA and its associated rules.

Continued or future violations of these statutes or regulations 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 animal shelter registration pursuant to N.C. General Statute § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under N.C. General Statute § 19A-40.

Your immediate compliance with the N.C. Animal Welfare Act is required.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Patricia Norris DVM MS".

Patricia Norris, DVM, MS  
Director, Animal Welfare Section

cc: Michael Martin, DVM, State Veterinarian  
Jonathan Lanier, General Counsel, NCDA&CS  
Christina L. Waggett, Assistant Commissioner, NCDA&CS  
Lindsey Spain, Special Deputy Attorney General

## Appendix

### REFERENCED STATUTES 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-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:

- (3) location of animal, including complete address and contact information, if not kept at the licensed or registered facility;
- (5) record of veterinary care including medications, treatments, procedures, and immunizations. The record shall include: diagnosis(es), diagnostic testing and results, date and time of administration or procedure, description of medication and initials of person administering any product, medication or procedure. The description of the medication shall include the name, strength or concentration, dosage, and dosing regimen. The dosage regimen shall include the frequency, duration to include the number of dosages or days to be given and the reason for the administration; and
- (6) all records shall be created and/or updated within 48 hours of the occurrence of procedures, including but not limited to intake, change of location, medication or treatment administration and/or disposition. The record shall be accurate; creation of a misleading record or deliberate or non-incident falsification of a record including medication administration documentation during or after an investigation or inspection shall be considered a violation of this regulation.

*History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985; Readopted Eff. September 1, 2022.*

#### **02 NCAC 52J .0201 GENERAL**

(s) For the purposes of G.S. 19A-23(5a), written standards for an "approved foster care provider" shall include but not be limited to: the application process; sanitation protocols; provision of daily observation of the animals; feeding and watering protocols; provision and documentation of veterinary care; provision and documentation of human and same-species daily interaction, exercise, play and environmental enrichment for animals in long term care; requirements for inspection by the shelter; and compliance by the foster care provider with the NC Animal Welfare Act and its rules issued pursuant thereto.

*History Note: Authority G.S. 19A-24; 19A-30(3); Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. October 1, 2022.*

**02 NCAC 52J .0210 VETERINARY CARE**

(a) A written program of veterinary care ('PVC') to include disease control and prevention, vaccination, euthanasia (animal shelters only), disposition of diseased, ill, injured, infirm or deformed animals, and provision of adequate routine and emergency 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. The following is required of each PVC:

(3) The facility shall implement and follow the PVC; and

(d) Each dog and cat shall be observed daily by the animal caretaker who has been adequately trained or is experienced in animal care or is under the direct supervision of a person who has such training or experience. Sick or diseased, injured, lame, or blind dogs or cats shall be provided with adequate veterinary care in a timely manner or be euthanized, provided that the euthanasia shall not affect compliance with any state or local law requiring the holding, for a specified period, of animals suspected of being diseased. If an animal cannot be euthanized due to a required holding period and does not meet the criteria of G.S. 19A-32.1(b)(2), then adequate veterinary care shall be provided to the animal.

*History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. March 23, 2009; January 1, 2005; Readopted Eff. September 1, 2022.*