



Steven W. Troxler
Commissioner

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

Christina L. Waggett
Assistant Commissioner
for Consumer Protection

Michael Martin, DVM
State Veterinarian

May 5, 2025

Destany Edwards
Owner
High Country Bed Bath & A Bone
340 Buffalo Meadows Rd
West Jefferson, NC 28694
and via email:
destanyedwards1998@gmail.com

NOTICE of WARNING and NOTICE of VIOLATION

Re: Violations of Title 02 N.C. Administrative Code (“NCAC”) Chapter 52J, Sections .0102(1); .0103; .0201(a), (d)(4), (k), and (m); .0202(b)(2) and (3), (c), and (d); .0203(a)(2); (b)(2) and (3); (d)(5), (e) and (f); .0204(a), (b), and (c); .0206(a); .0207(a), (c), (d)(1), (4), and (7); (e) and (f); .0209(8); and .0210(h).

AWS-WL-2025-7

Boarding Kennel: High Country Bed, Bath & A Bone
License Number: 20727

Dear Ms. Edwards:

On April 8, 2025, a Facility Compliance Inspection (“FCI”) was conducted by Veterinary Program Specialist Harris (“Inspector Harris”) of the Animal Welfare Section (“AWS”) of the Veterinary Division of the N.C. Department of Agriculture and Consumer Services (“NCDA&CS”) of the High Country Bed, Bath & A Bone (“the kennel”). The findings of this FCI included:

1. in violation of 02 NCAC 52J .0102(1), the kennel did not have the owners of 16 of the 27 animals present at the kennel during the site visit provide a signature upon entry;
2. in violation of 02 NCAC 52J .0103, the kennel did not provide vaccination records for 4 of the 27 dogs on site when requested by AWS Inspector Harris. In addition, no animal records were available when requested for 2 dogs;
3. in violation of 02 NCAC 52J .0201(a), the housing facility was not structurally sound or maintained in good repair. This violation was previously cited in the December 9, 2024 FCI report;
4. in violation of 02 NCAC 52J .0201(d)(4), the kennel failed to store clean bedding and laundry in cabinets or sealed containers;

5. in violation of 02 NCAC 52J .0201(k), the kennel had previously designated a section of the facility as housing for only grooming animals to prevent inspection of this area. During this FCI, 14 boarding dogs were found to be housed in the area. All animals in a facility are subject to the requirements of the AWA regardless of ownership;
6. in violation of 02 NCAC 52J .0201(m), the kennel staff failed to be truthful during an inspection when they falsely claimed that only 4 dogs in the grooming area were boarding dogs to dissuade Inspector Harris from inspecting the area. Review of the records showed that 14 dogs housed in the grooming area were boarding dogs;
7. in violation of 02 NCAC 52J .0202(b)(2), the kennel failed to clean or change the air vents and air filters as often as necessary to minimize buildup of debris, dust and biological material;
8. in violation of 02 NCAC 52J .0202(b)(3), the kennel failed to provide air flow sufficient to minimize odors. This violation was previously cited in the December 9, 2024 FCI report;
9. in violation of 02 NCAC 52J .0202(c), the kennel failed to provide sufficient illumination throughout the facility. This violation was previously cited in the December 9, 2024 FCI report;
10. in violation of 02 NCAC 52J .0202(d), interior building surfaces of the indoor facility with which animals came in contact were not maintained so that they were impervious to moisture and the surfaces could not be readily sanitized. This violation was previously cited in the December 9, 2024 FCI report;
11. in violation of 02 NCAC 52J .0203(a)(2) and (b)(2), the kennel failed to maintain a minimum 6-inch depth of gravel in the primary enclosures, common areas and exercise areas. This violation was previously cited in the December 9, 2024 FCI report;
12. in violation of 02 NCAC 52J .0203(d)(5) and (e), the kennel failed to provide the animals in outdoor enclosures with protection from excessive sun and inclement weather. The protection was not sufficient to protect all animals simultaneously in the exercise areas;
13. in violation of 02 NCAC 52J .0203(f), the kennel failed to maintain the outdoor common areas in good repair and failed to properly clean and sanitize these areas;
14. in violation of 02 NCAC 52J .0204(a), the kennel failed to construct the primary enclosures to prevent contamination from waste and wastewater from animals in other enclosures. This violation was previously cited in the December 9, 2024 FCI report;
15. in violation of 02 NCAC 52J .0204(b), the kennel allowed the animals to have contact with wood;
16. in violation of 02 NCAC 52J .0204(c), the kennel failed to maintain the primary enclosures and exercise areas in good repair and in a manner to prevent injury to animals;
17. in violation of 02 NCAC 52J .0206(a), the kennel failed to provide the animals with continuous access to fresh water as 5 of the 27 boarding animals were noted to be without water, 2 of the 5 had no water receptacles in the enclosure, and insufficient water was provided to the 4 dogs in the indoor day care area;
18. in violation of 02 NCAC 52J .0207(a), the kennel failed to remove waste from primary enclosures;
19. in violation of 02 NCAC 52J .0207(c), the kennel failed to have cross contamination barriers in place sufficient to prevent feces, urine and wastewater from entering another occupied enclosure;
20. in violation of 02 NCAC 52J .0207(b)(1), the kennel failed to properly sanitize previously occupied primary enclosures and accessories prior to the introduction of a new animal;
21. in violation of 02 NCAC 52J .0207(d)(4), the kennel failed to keep common areas, areas accessible to multiple animals, exercise areas, and other areas clean and sanitary;

22. in violation of 02 NCAC 52J .0207(d)(7), the kennel failed to keep all areas accessible to multiple animals clean and sanitary;
23. in violation of 02 NCAC 52J .0207(e), the kennel failed to keep the premises clean and in good repair to protect the animals from injury and to facilitate the prescribed husbandry practices;
24. in violation of 02 NCAC 52J .0203(f), the kennel failed to implement an effective program for the control of insects as the fly traps were full;
25. in violation of 02 NCAC 52J .0209(8), the kennel housed animals in the grooming area before the enclosures were inspected by AWS. The enclosures in the grooming area were found to be not in compliance with the AWA rules;
26. in violation of 02 NCAC 52J .0210(h), the facility failed to comply with the North Carolina rabies law as evidenced by 5 animals on site without proof of a current rabies vaccination.

The April 8, 2025 FCI was noted to be "Disapproved" due to the number, severity and repetitive nature of the violations. Therefore, AWS finds that the kennel is in violation of 02 NCAC 52J Sections .0102(1); 0103; .0201(a), (d)(4), (k), and (m); .0202(b)(2) and (3), (c), and (d); .0203(a)(2); (b)(2) and (3); (d)(5), (e) and (f); .0204(a), (b), and (c); .0206(a); .0207(a), (c), (d)(1), (4), and (7); (e) and (f); .0209(8); and .0210(h).

This Warning Letter serves as written notice indicating in which respects the kennel violated the N.C. Animal Welfare Act ("AWA") and the rules issued pursuant thereto. The kennel is directed to immediately comply with the AWA and its associated rules. Without an Approved FCI, the kennel will not be able to renew its AWS boarding kennel license when the current boarding kennel license expires on June 30, 2025.

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 boarding kennel license application 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.

Sincerely,



Patricia Norris, DVM, MS
Director, Animal Welfare Section
Veterinary Division, NCDA&CS

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

Appendix

REFERENCED STATUTES AND REGULATIONS

§ 19A-28. License required for public auction or boarding kennel.

No person shall operate a public auction or a boarding kennel unless a license to operate such establishment shall have been granted by the Director. Application for such license shall be made in the manner provided by the Director. The license period shall be the fiscal year and the license fee shall be seventy-five dollars (\$75.00) for each license period or part thereof beginning with the first day of the fiscal year.

§ 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. (1977, 2nd Sess., c. 1217, s. 11; 1987, c. 827, s. 67.)

§ 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 .0102 RECORDS; BOARDING KENNELS

Operators of boarding kennels shall maintain records of all dogs and cats showing the following:

- (1) name and address of owner or person responsible for animal, the date of entry and signature of the person leaving the animal; and the date of release and signature and address of individual to whom animal is released;

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

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 or her authorized representative on request, during the business and cleaning hours listed on the license application and/or during an inspection of the facility or an investigation. 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 from a boarding kennel or sold from a pet store or public auction. Animal shelters shall maintain records required by the Animal Welfare Act or this Subchapter for a period of three years after the disposition of the animal.

History Note: Authority G.S. 19A-24; 19A-25; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985; Readopted Eff. September 1, 2022.

02 NCAC 52J .0201 GENERAL

(a) Housing facilities for dogs and cats shall be structurally sound and maintained in good repair to protect the animals from injury, contain the animals and restrict the entrance of other animals and people.

(d) Storage of food and bedding:

- (4) clean bedding and laundry shall be: stored in cabinets and/or sealed containers; stored separately from soiled laundry and materials; and stored separately from general housing areas for animals; and

(k) All animals in a facility are subject to the requirements of the Animal Welfare Act, regardless of ownership.

(m) A licensee or registrant and all agents of the facility shall be truthful with NCDA&CS employees during all phases of inspections or investigations.

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 .0202 INDOOR FACILITIES

(b) Ventilation of indoor facilities:

(2) air vents and/or air filters shall be cleaned and/or changed as often as necessary to minimize buildup of debris, dust and biological material and as often as necessary to prevent inhibition or restriction of air flow; and

(3) air flow shall be adequate to minimize odors and moisture condensation.

(c) Indoor housing facilities for dogs and cats shall have sufficient illumination to permit routine inspections, maintenance, cleaning and housekeeping of the facility and observation of the animals. Illumination shall provide regular diurnal lighting cycles of either natural or artificial light, uniformly diffused throughout the animal 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; 19A-30(3); Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. September 1, 2022.

02 NCAC 52J .0203 OUTDOOR FACILITIES

(a) In outdoor facilities that are subject to the Animal Welfare Act, primary enclosures, common areas and walkways with which an animal comes in contact:

(2) may use gravel for groundcover so long as it is maintained at a minimum depth of six inches and maintained in a sanitary manner as prescribed in Rule .0207 of this Subchapter.

(b) Exercise areas of outdoor facilities:

(2) use gravel for groundcover so long as it is maintained at a minimum depth of six inches and kept in a sanitary manner; and/or

(3) artificial turf may be allowed so long as it is adequately maintained in good repair, is replaced when damaged, and is cleaned and sanitized in accordance with 02 NCAC 52J .0207; and/or

(d) Dogs and cats in outdoor primary enclosures shall be provided housing to allow them to remain dry and comfortable during inclement weather:

(5) in addition to housing, the enclosure shall provide protection from excessive sun and inclement weather.

(e) Dogs and cats in outdoor areas shall be provided adequate protection from inclement weather and the Sun. This protection shall be sufficient to protect all animals simultaneously in the exercise area. If an animal cannot maintain its normal body temperature in an outdoor exercise area, the animal shall not be placed in an outside exercise area.

(f) Outdoor common areas used for play, enrichment and elimination shall be maintained in good repair and be properly cleaned and sanitized as set forth in 02 NCAC 52J .0207 to protect the animals from injury and/or illness.

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

02 NCAC 52J .0204 PRIMARY ENCLOSURES

(a) Primary enclosures and exercise areas shall be constructed so as to prevent contamination from waste and wastewater from animals in other enclosures. All surfaces with which an animal comes in contact shall

be impervious to moisture excluding the ground cover options of gravel and grass allowed for in Rule .0203 of this Section.

(b) For primary enclosures and exercise areas placed into service on or after January 1, 2005, no wood shall be within the animal's reach. For primary enclosures and exercise areas in use in a licensed or registered facility prior to January 1, 2005, any damaged wood shall be replaced in a manner that does not permit contact with wood by the animal.

(c) Primary enclosures and exercise areas for dogs and cats shall be structurally sound and maintained in good repair and in a manner to prevent injury to animals and keep other animals out.

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 .0206 WATERING

(a) Animals shall have continuous access to fresh, potable water, except as might otherwise be required to provide adequate veterinary care.

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

02 NCAC 52J .0207 SANITATION

(a) Waste shall be removed from primary enclosures, exercise areas and common 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 shall 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.

(c) Cross contamination barriers shall be in place in primary enclosures and be sufficient to prevent feces, urine and cleaning waste water from entering another occupied primary enclosure.

(d) Sanitation shall be as follows:

(1) prior to the introduction of dogs or cats into empty primary enclosures previously occupied, enclosures and accessories shall be sanitized in the manner provided in Subparagraph (d)(3) of this Rule;

(4) common areas, any area accessible to multiple animals and exercise areas not covered by 02 NCAC 52J .0207(d)(3) shall be kept clean and sanitary. These areas are to be properly cleaned a minimum of two times per day. Hard and/or impervious surfaces of these areas shall be sanitized a minimum of once every seven days in the manner provided in Subparagraph (d)(3) of this Rule;

(7) any area accessible to multiple animals shall be kept clean and sanitary; and

(e) Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this Rule. Premises shall remain free of accumulations of trash, junk, waste products, and discarded matter. Weeds, grasses, and bushes must be controlled so as to facilitate cleaning of the premises and to improve pest control, and to protect the health and well-being of the animals.

(f) 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; Readopted Eff. September 1, 2022.

02 NCAC 52J .0209 CLASSIFICATION AND SEPARATION

Animals housed in the same primary enclosure or confined to an exercise area shall be maintained in compatible groups, with the following additional restrictions:

- (8) All animals shall be confined in primary enclosures or exercise areas. Primary enclosures and exercise areas shall be inspected by the Animal Welfare Section and in compliance with the rules of this Subchapter before an animal can be confined in the enclosure or area.

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

02 NCAC 52J .0210 VETERINARY CARE

(h) 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. This subsection shall not apply to animals which have been in the facility less than 15 days.

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