

Animals' Angels USA

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ANIMALS' ANGELS

we are there with the animals

Investigation at Farmerstown Dog Auction

March 21, 2009

External Report

Location:

Farmerstown Sale Barn

2807 State Rt. 557

Baltic, OH 43804

Managed by:

Harold K. Neuhart (Seneca View Kennel)

11160 Rich Street

Senecaville, OH 43780

740-685-5941

Market schedule:

Monthly

Humane Society:

Holmes County

Millersburg, OH

330-231-5439

www.holmeshumane.org

1. Observations:

3/21/09

We arrived at the auction at 6am. It was not daylight yet. A white Chevrolet Pickup with a white trailer was parked in the middle of the parking lot. The dogs had already been unloaded from the trailer. The vehicle is registered to the kennel "Pick of the Litter" from New York Mills, Minnesota, owned and operated by Kathy Bauck and her husband.



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New York Mills, MN is more than 16 hours away from Farmerstown, Ohio.

Every commercial vehicle engaged in interstate commerce and with a gross combination weight of over 10,001 lbs has to comply with federal regulations. Violating the Federal Motor Carrier Safety Regulations, no **DOT number or company name is displayed on the side of the truck.**

Subpart B—General requirements and information

§390.21 Marking of CMVs.

- (a) **General.** Every self-propelled CMV, as defined in [§390.5](#), subject to subchapter B of this chapter must be marked as specified in paragraphs (b), (c), and (d) of this section.
- (b) **Nature of marking.** The marking must display the following information:
 - (b)(1) The legal name or a single trade name of the motor carrier operating the self-propelled CMV, as listed on the motor carrier identification report (Form MCS-150) and submitted in accordance with [§390.19](#).
 - (b)(2) The motor carrier identification number issued by the FMCSA, preceded by the letters “USDOT”.

Additional information about Kathy Bauck:

Kathy Bauck was served with a “Cease and Desist Order” from the Minnesota Board of Veterinary Medicine 10/12/2006 for practicing veterinary medicine without a license. She was performing procedure like spaying, neutering, ear crops, tail dockings, Caesarean sections, hernia repairs, dew claws removal on her dogs without having the proper knowledge to do so.

The day before the Farmerstown auction, Kathy Bauck was in Otter Tail County, MN Court facing criminal charges for abusing and neglecting animals. Expert testimony (Dr. Melinda Merck) revealed that six dogs were in discomfort at the facility and needed emergency treatment. Some dogs were subjected to unjustifiable pain and suffering. There was video of a dog with one of its eyes bulging out, and the skin of others missing. Video of dogs licking their lips after being dipped in tanks of insecticide that is used on livestock and is deadly if swallowed by animals. Kathy Bauck was found guilty March 24, 2009 on some of the charges (three counts of animal cruelty and one count of animal torture) and will return to Otter Tail County Courthouse in Fergus Falls, MN on April 24, 2009 for sentencing. Kathy Bauck also sells dogs from a website called “Puppies on Wheels”

8am:

The front, side and back parking lots were full of cars from many different states and there were many Amish buggies.

According to the auction catalogue, 408 dogs were offered for sale that day. (Miniature Schnauzer, Pekingese, Cocker Spaniel, Bichon Frise, Shih Tzu, Cairn Terrier, West Highland White, Maltese, Dachshund, Scottish Terrier, Cavalier King Charles Spaniel, Yorkshire Terrier, Pinscher, Fox Terrier, Italian Greyhound, Chinese Crested, Pug, Pomeranian, Shetland Sheep Dog, Boston Terrier, Soft Coated Wheaten Terrier, Lhasa Apso, Papillon, Keeshond, Poodle, Beagle, American Eskimo, Labrador Retriever, Basset Hound, French Bulldog, English Bulldog, Silky Terrier, Chihuahua, Havanese) 201 dogs sold at the auction were from the kennel “PICK OF THE LITTER”

Out of State sellers:

Kathy Bauck, MN

Jonathan C. Peachey, PA

Pleasant Valley Kennels, NY

Lyndell Horning, NY

Again, there was a police officer guarding the auction barn and the parking lot. Auction visitors were allowed to view the dogs prior to the auction. We entered the trailers where the dogs were confined. The cages were stacked 4 rows high on both sides of the trailers. The trailers were approx. 45’ to 48’ long. There were little plastic bowls in each cage but most of them were empty. The dogs were forced to stand, sit or lay on the wire cage floor. There were no blankets or resting boards for the dogs. The trailers were heated with a small, portable heater. It remained cold inside both trailers because of the door that was being opened and closed constantly as people entered and left the trailers. The ventilation is poor and the smell of faeces and urine is overwhelming.

All dogs looked scared. Some dogs looked like they had “given up” and appeared very lethargic. Others were very agitated and were constantly moving from one side of the cage to the other. Some dogs were struggling with the wire cage floor they were forced to be on.





9am:

We walked out to the parking again. There was a pickup truck from Ohio in the parking lot with an orange (DUI) plate that had 4 cages in the back with 2 dogs in each cage. The dogs had no blankets or straw in the cages and were shivering; the temperature that morning was 31 degrees. The dogs were not taken into the sale they were left in the back of the truck during the entire auction.

TITLE 9 CFR, CHAPTER I, PART 3

Subpart A. Specifications for the Humane Handling, Care, Treatment, and Transportation of Dogs and Cats

Sec. 3.5 Mobile or traveling housing facilities.

(a) Heating, cooling, and temperature. Mobile or traveling housing facilities for dogs and cats must be sufficiently heated and cooled when necessary to protect the dogs and cats from temperature or humidity extremes and to provide for their health and well-being. The ambient temperature in the mobile or traveling housing facility must not fall below 50 [deg]F (10 [deg]C) for dogs and cats not acclimated to lower temperatures, for those breeds that cannot tolerate lower temperatures without stress or discomfort (such as short-haired breeds), and for sick, aged, young, or infirm dogs and cats. Dry bedding, solid resting boards, or other methods of conserving body heat must be provided when temperatures are below 50 [deg]F (10 [deg]C). The ambient temperature must not fall below 45 [deg]F (7.2 [deg]C) for more than 4 consecutive hours when dogs or cats are present.

We returned to the sale barn to attend the auction. The National Pet Breeders Alliance and National Pedigree Certification Registry had a table set up in the upstairs of the auction. They were trying to recruit new members. Paperwork displayed on the table showed that their hired lobbyist, Connie Nolder, spent over \$40,000 in Ohio last year to stop anti breeding laws.

The auction ring was very crowded. Two workers carried dogs in and placed them on a table. The dogs were checked, paperwork was filled out and then the dogs were sold. The sold dogs were returned to the trailer and the next pair was brought out.

After the sale was over, all dogs were loaded back onto trailers, Amish buggies and into the back of vans and pick-up trucks.

Attachment: Cease and Desist Order

STATE OF MINNESOTA
BOARD OF VETERINARY MEDICINE

In the Matter of Kathy Bauck

CEASE AND DESIST ORDER AND
NOTICE OF RIGHT TO HEARING

TO: Kathy Bauck, Pick of the Litter, Inc., 51402 410th Street, New York Mills, MN 56567

Minnesota law prohibits any person from practicing veterinary medicine without having first secured a veterinary license or temporary permit, as provided in Minn. Stat. ch. 156, unless the person is exempt from such licensing requirements.

The practice of veterinary medicine is defined in Minn. Stat. § 156.12, subd. 1, as follows:

Subdivision 1. **Practice.** The practice of veterinary medicine, as used in this chapter, shall mean the diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above. The practice of veterinary medicine shall include but not be limited to the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique. The practice shall not be construed to include the dehorning of cattle and goats or the castration of cattle, swine, goats, and sheep, or the docking of sheep.

Dated: 10/12/2006

BOARD OF VETERINARY MEDICINE
Complaint Review Committee

By:

John King DVM
JOHN KING, D.V.M.

Executive Director
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