

Animals' Angels USA

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Investigation into the transport of American horses to Canada for slaughter – External report

Date: 6/1/07-6/3/07

1. Transport Company

Roping J Ranch
6302 Meldrum Road
Fair Haven, MI 48023
DOT 289445
License Plate Truck 485 9B6 Trailer B633580



Truck is blue truck with a double deck potbelly trailer and floating decks.

2. Observations:

**Shipshewana horse auction, Indiana
6/1/07 8am**

Roping J Ranch truck is backed up to the stable. The collapsible floors of the double deck conveyance are configured to transport horses on one level only.

10.40am

The “kill” horse auction starts. Like last time, the auction was held in the pen area in the back of the stable and not in the auction ring. Approx. 60 horses were sold in less than 30 minutes. Among them were many emaciated, six lame and one horse with a bleeding eye. Each “killer buyer” has one big collecting pen and auction workers move the horses from the sale directly to these pens. A card showing the buyer number and the amount of horses purchased is attached to the gate. Buyer number 89 (Roping J Ranch) bought 34 horses. Owner of Roping J Ranch is Jeron Gold.

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None of the pens have any water or food for the animals. The six limping horses and the one with the bleeding eye injury were sold to Roping J Ranch as well.

Eye Injury



12.30pm

Roping J Ranch and two unknown guys start to put green USDA slaughter tags on each horse.



Green Slaughter Tags

1.05 pm

Roping J Ranch loads the first 16 horses on the double deck truck. They are moved with wooden sticks. The floating deck is adjusted and the horses are only loaded on one level. However, with 16 horses being loaded into the first compartment, loading density in this compartment is very high.

1.50 pm

The second pen with at least 12 horses is loaded onto the truck. The animals struggle as they are forced into the second compartment. Standing next to the trailer, you can hear the animals kicking inside.

Two pick-up trucks with single trailers back up to the loading ramps. The two guys who helped Roping J with his horses start loading horses on their trucks as well. All these horses also have the green slaughter tag attached.

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2.50pm

The truck leaves the loading dock and parks outside of the stable.



3.00pm

The truck leaves the premises. The two pick up trucks with the single trailers follow. There is one driver in the Roping J Ranch truck.

Possible Violations of the Commercial Transportation of Equines for Slaughter Regulations 9 CFR Sec. 88.4:

(a)

Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must:

(1)

For a period of not less than 6 consecutive hours immediately prior to the equines being loaded on the conveyance, provide each equine appropriate food, potable water and the opportunity to rest.

(4)

Load the equines on the conveyance so that each equine has enough floor space to ensure that no equine is crowded in a way likely to cause injury or discomfort.

Animals' Angels investigation on March 9, 2007 revealed a similar violation: Roping J Ranch started loading 2 hours after the auction was over and left the auction 4pm. None of the horses received any water or food prior to transport.
For more details please request report.

They all crossed into Michigan on Road IN 9 N. They continued to drive on MI 66 north to MI 60 E.

4.30 pm

The Roping J truck stops at a CITGO gas station. While filling up the truck, the driver cleans the trailer with a sponge. He does not check on the animals. The two pick-up trucks did not stop but continued driving on 60 E.



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4.45pm

The truck continues driving and takes I- 69 N.

5.30pm

Truck pulls into a truck parking close to exit 32 on I-69 N.

5.42pm

Truck leaves the truck parking and continues driving.

8.00pm

Truck pulls into a MARATHON gas station in Memphis. Again, the driver does not check on the animals



8.38pm

The truck enters the border crossing to Canada. He parks on the right side of the road and walks into the USDA office on the left. After 5 minutes, he returns and crosses the US border. Nobody checks on the animals.

Possible Violations of the Commercial Transportation of Equines for Slaughter Regulations 9 CFR Sec. 88.4:

(b) During transit to the slaughtering facility, the owner/shipper must:

(2) Observe the equines as frequently as circumstances allow, but not less than once every six hours, to check the physical condition of the equines...

In addition:

Since USDA at the border had to stamp the owner/shipper certificate (**Sec. 88.5 c**), it is possible that the form was filled out incorrect. **Section 88.4 (3)(x) requires**

A statement that the equine was provided access to food, water and rest prior to transport...

Falsification of form 10-13 or knowingly using a falsified form is a criminal offence. (18 U.S.C. Section 1001)

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8.50pm

The truck enters Canada. Nobody checks on the animals on the Canadian side either. The truck stops briefly at the border station to attach the seal on the truck.



The U.S. has a Letter of Intent with Canada regarding horses originated in the U.S. destined for slaughter plants in Canada. It states that,

CFIA at the border will provide veterinary inspection of the horses to verify that the horses are transported humanely,

6/3/07 Roping J Ranch Feedlot, Fairhaven, Michigan

8.10 am

We arrive at Roping Js Feedlot in Fairhaven. It is a large property: Behind the farm house are several barns and large pastures. Several straight trailers (the same ones we saw at the Shipshewana auction on Friday) are parked in front of the barn. The outside pen area on the left seems to be for the "slaughter" horses. There is a loading ramp and Roping Js large truck is backed up to the pen area.



The horses we observed being loaded on the two pick-up trucks at the Shipshewana auction were evidently hauled to this collecting station Friday afternoon.

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There are approximately 30 horses in the outside pens. They still have the green USDA slaughter tags attached to their hips. They have access to hay and water. Many of them look very emaciated, their heads are hanging down. We observe two horses severely limping.



8.30 am

The same driver from Friday and a second person start moving the horses. They are loading all of them into the truck, using just one level of the double deck trailer. The driver uses a long, wooden stick to move them around. One horse is down and it takes several attempts to make it rise.

9.00 am

The truck leaves the premises and starts driving towards Port Huron on I-94 East. There is only one driver.

9.55 am

The truck arrives at the border. To our surprise, the truck does not stop at the USDA office this time, but continues driving straight to the toll booth.

Possible Violations of the Commercial Transportation of Equines for Slaughter Regulations 9 CFR Sec. 88.5c:

Any owner/shipper transporting equines to slaughtering facilities outside the United States must present the owner-shipper certificates to USDA representatives at the border.

10.04 am

He stops at the Canadian customs and walks into the office. Then the trailer door is sealed. Nobody checks on the animals.

10.20 am

The truck leaves the border and starts driving on I-402 East towards London. He then takes I-401 at 12.40 pm. He continues on I-401 East all the way to Quebec.

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8.18 pm

The truck arrives at Richelieu Meat, Inc. in Massueville, Quebec. He pulls in and waits outside the gate. A few minutes later a slaughterhouse employee on a bicycle arrives and opens the gate for him.



He unloads directly into the back holding pen of the slaughter plant. At one point the driver and the employee check on something inside the truck. The driver then makes a gesture signaling "It is sleeping" and they both start laughing.



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The horses unloaded are in appalling condition: Many of them are limping (more than the two we observed limping at the feedlot that morning) and **one horse is dead**. All of them are very nervous and once unloaded into the holding pen, several start biting and kicking each other.

After the unloading the driver cleaned out the dirty straw from the trailer. At 9.10 pm he leaves the premises and starts heading back direction Ontario. The dead horse from his truck remains in the parking lot.



Violation of the Federal Motor Carrier Safety Regulations 49 CFR, Part 395 (Hours of Service):

Property carrying CMV drivers may drive a maximum of 11 hours after 10 consecutive hours off duty.

This is the second time we observe this trailer delivering horses dead at the plant. On April 16, 2007 the same trailer arrived with two dead and many injured horses on the truck.





3. Conclusions:

- The investigation revealed that the Commercial transport of equines to slaughter regulations are frequently violated and not enforced.
- Livestock trucks are crossing the borders without proper inspection or papers. **This is not only a severe animal welfare concern but also a Homeland Security and a public health issue.**
- Representatives of USDA and CFIA both appear to not know or not to care what the regulations are and what they are supposed to do. (please see attached statements of USDA officials below)

**Horses are transported without food, water or a chance to rest prior to loading. There is no inspection of the condition of the horses at the border.
As a result, horses arrive lame or even dead at the slaughter plant.**

Animals' Angels asks the authorities in charge to respond to these severe animal welfare concerns. We recommend that:

- The Secretary assesses civil penalties against Roping J Ranch for the violations of the regulations listed in this report. (\$88.6)
Evidence: Animals' Angels video documentation, eye witness testimony.
Roping J Ranch delivers approx. 60 horses to Canada each week and every time Animals' Angels observed him he was violating the regulations and causing unnecessary suffering.
- USDA advises their representatives at the border to enforce the regulations. They have to make sure that each owner/shipper has filled out the owner/shipper certificate correctly and presents it to the officer on duty.
- USDA starts to monitor the large auctions selling horses for slaughter. There are only very few of these auctions in the nation and it would be easy to inspect them at least every few months. Animals' Angels has been monitoring them on a regular basis and is highly concerned about the constant violations of federal laws occurring every week. We have never encountered any USDA representative at one of these auctions.
- USDA reminds CFIA about importance of a veterinary inspection at the port of entry and the existing letter of intent. It is their duty to verify that horses are being transported humanely and they have the power to take further enforcement action in case they are not. CFIA should advise their border representatives.



Information received from USDA officials regarding requirements for the export of horses to Canada for slaughter:

Statement of USDA border representative, Blue Ridge Bridge Plaza, Port Huron:

- They are not checking on animals leaving the country, all they do is check the owner/shipper certificate and the Coggins test.
- They do check animals coming in.
- Their border Veterinarian is only available certain hours. His name is Dr. Brown.
- The Canadian border (CFIA) has to inspect the animals.

Statement of USDA border veterinarian Dr. Brown, Port Huron:

- He does not do anything regarding horses going to Canada for slaughter. ("I stay right out of it. You want to talk to Canadian Vets")
- USDA at the border is not required to stamp owner/shipper certificates. These papers have to be signed before horses are loaded, not at the border. USDA representative is not involved with slaughter horses. The information we received from USDA representative at the border is incorrect. (" Obviously, you talked to someone other than me and they were very confused")

Statement of USDA representative/ agricultural inspections Mrs. Farell, Port Huron:

- Trucks exporting horses to Canada for slaughter do not have to get their owner/shipper papers stamped by an USDA representative. Only if these horses are brought back into the US a stop is necessary.
- They have nothing to do with slaughter horses. If there is a USDA regulation that requires something USDA in Detroit would be in charge, not the border representative.
- She is not aware of the regulations dealing with the commercial transport of horses to slaughter.
- She wants to find out more about who we would have to contact and then call us back.

Mrs. Farell calls us back and tells us what she found out. She has talked to **Lisa Whiting (USDA-PPQ), who used to be the USDA border veterinarian in Detroit. According to her, the procedure is the following:**

- Everybody who is exporting horses to Canada for slaughter has to get the health certificate federally endorsed by the area veterinarian in charge.
- The name of the area veterinarian for Michigan is Dr. Macarty and he has his office in East Lansing. (Phone: 517-324-5290)
- The paperwork is not stamped at the border; it has to be stamped by him in Lansing. The border offices are not involved in slaughter horses.

Statement of USDA border veterinarian, Dr. Justin Krause, Champlain, NY:

- Truck driver hauling horses to Canada do not have to stop at the USDA office. Only CFIA has to sign the paperwork and inspect the horses. They could endorse the Form VS 17-140 if the hauler wanted them to, but it is not mandatory.
- We mention that 88.5c clearly states that the owner/shipper certificate has to be presented to an USDA border representative. Answer: "It is very difficult to understand the regulations. They are talking about CFIA here. I am telling you as a port veterinarian of many years that you don't have to stop."
- "I know a guy who is in that business for a very long time, his name is Nickerson (!!) and I sign papers for him all the time. It is tough; there are a whole lot of people that are trying to make things very difficult. They videotape trucks and trying to get you." We mention that if these haulers obey the laws there is nothing to be afraid of and he answers: "Oh no, they set you up...You have to be very careful"