

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Joyce Cairns, an individual,
Respondent.

AWA Docket No. [24-J-0027](#)

COMPLAINT

REC'D- USDA/OALJ/HCO
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There is reason to believe that the Respondent named herein has violated the Animal Welfare Act, as amended (7 U.S.C. § 2131 *et seq.*) (AWA or Act), and the regulations (9 C.F.R. Part 2 and 3) (Regulations). Therefore, the Administrator of the Animal and Plant Health Inspection Service (APHIS) issues this Complaint alleging the following:

JURISDICTIONAL ALLEGATIONS

1. Respondent Joyce Cairns is an individual whose address is in the State of Kansas.
2. Respondents' addresses will not be provided in the complaint to protect her personal privacy but will be provided to the Hearing Clerk, United States Department of Agriculture, for the purpose of service of this complaint and future documents.
3. At all times mentioned herein, the Respondent acted as a Breeder, as that term is defined in the Act and the Regulations.
4. At all times material herein, the Respondents possessed AWA Breeder License 48-A-1027.

ALLEGED VIOLATIONS

5. On or about January 15, 2020, the Respondent violated the Regulations (9 C.F.R. § 2.40) by failing to provide adequate veterinary care to animals and/or failing to establish and maintain programs of adequate veterinary care that included appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and/or daily observation of animals, as follows:

A dog (“Jack”) had dental disease and a matted, dirty coat. 9 C.F.R. § 2.40(b)(2).

6. On or about July 19, 2021, the Respondent violated the Regulations (9 C.F.R. § 2.40) by failing to provide adequate veterinary care to animals and/or failing to establish and maintain programs of adequate veterinary care that included appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and/or daily observation of animals, as follows:

A dog (“Cookie”) had excessively long toenails that caused the toes to shift to the side. 9 C.F.R. § 2.40(b)(2).

7. On or about January 5, 2022, the Respondent violated the Regulations (9 C.F.R. § 2.40) by failing to provide adequate veterinary care to animals and/or failing to establish and maintain programs of adequate veterinary care that included appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and/or daily observation of animals, as follows:

a. A dog (“Dusty”) had limited movement while in the enclosure and an altered gait. 9 C.F.R. § 2.40(b)(2).

b. A dog (“Arrow”) had no body fat with visible spine, hips and ribs. 9 C.F.R. § 2.40(b)(2).

c. A dog (“Dinky”) had no body fat with visible spine, hips and ribs. The dog also had generalized fur loss on its body and tail and staining around her vulva. 9 C.F.R. § 2.40(b)(2).

8. On or about January 5, 2022, the Respondent violated the Regulations (9 C.F.R. § 2.100(a)), by failing to meet the Standards, as follows:

a. Multiple dog enclosures inadequately protected the dogs from the cold. 9 C.F.R. § 3.4(b)(1).

- b. Multiple dog enclosures contained frozen water in its receptacles. 9 C.F.R. § 3.10(a).
 - c. A dog enclosure contained loose fecal waste on the floor. 9 C.F.R. § 3.11(a).
9. On or about January 12, 2022, the Respondent violated the Regulations (9 C.F.R. § 2.100(a)), by failing to meet the Standards, as follows: Multiple dog enclosures contained frozen water in its receptacles. 9 C.F.R. § 3.10(a).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the Respondent has, in fact, violated the Act and Regulations promulgated thereunder, this Complaint shall be served upon the Respondent. Respondent shall have twenty (20) days after service of this Complaint in which to file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-1400, in accordance with the applicable Rules of Practice (7 C.F.R. § 1.136). Failure to deny or otherwise respond to any allegation in this complaint shall constitute an admission of the allegation. Failure to file an answer within the prescribed time shall constitute an admission of the allegations in this complaint and a waiver of hearing. APHIS requests that this matter proceed in accordance with the Rules of Practice governing proceedings under the Act, and that such order or orders be issued as are authorized by the Act (7 U.S.C. § 2149) and warranted under the circumstances.

Done at Washington, D.C.

this____ day of____ 2024

MICHAEL WATSON

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WATSON
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Dr. Michael Watson
Administrator
Animal and Plant Health Inspection Service

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