



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970-494-7478  
Fax: 970/494-7461

RE: LICENSE RENEWAL  
Certificate Number: 48-B-0225  
Renewal Date: 02/18/2011

December 20, 2010  
Customer ID Number: 4248

Jeff Fortin  
725 B B Lane  
Oberlin, KS 67749

Dear Licensee:

This is to remind you that your U.S. Department of Agriculture (USDA) Animal Welfare Act (AWA) license is due for renewal on or before the above renewal date. This is the only renewal notice you will receive.

Please complete the enclosed application form, making any necessary corrections to the pre-printed information, and return it to the above address, along with the appropriate license renewal fee. The annual fee is calculated by using the enclosed fee schedule. You may pay by cashier's check, certified check, personal check or money order made payable to the United States Department of Agriculture. You can also pay with a Visa or MasterCard, using the enclosed credit card authorization form. However, we cannot accept cash payments.

Please note that you must have an approved, complete, and up-to-date program of veterinary care form on file at your place of business. You can obtain blank forms -- or any others you may need -- directly from this office or your USDA inspector. The AWA also requires that you report to us any changes in your name, address, location, management, control or ownership of your business via certified mail within 10 days after the change has occurred.

It is very important that you file your AWA license renewal application before the expiration date. Any renewal notices received after that date will be considered invalid and returned. Accordingly, to continue to conduct AWA regulated business, it would be necessary for you to reapply and undergo the entire pre-licensing process. If your license expires and you continue to operate as a dealer or exhibitor, you will be in violation of the AWA and subject to legal action.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M Gibbens, D V M  
Regional Director – Animal Care

cc: Paul A Thunstrom, A.C.I.

Enclosures



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Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970-494-7478  
Fax: 970/494-7461

RE: ACKNOWLEDGEMENT OF RENEWAL  
Certificate Number: 48-B-0225  
Renewal Date: 02/18/2011

February 18, 2010  
Customer ID Number: 4248

Jeff Fortin  
725 B B Lane  
Oberlin, KS 67749

Dear Licensee:

Thank you for submitting your Animal Welfare Act (AWA) license renewal documents and applicable fees. Enclosed is a copy of the renewal form and a new certificate indicating that your AWA license has been renewed for another year.

As a reminder, you should file your application for renewal and pay your licensing fees on or before the expiration date each year. We will send you a renewal notice again next year about 60 days before the expiration date of your license. If you cease conducting regulated activities, you may cancel your license at any time by notifying us, in writing, that you wish to terminate your license.

The law also requires that you notify us, by certified mail, of any change in the name, address, location, management and control or ownership of your business within 10 days after such a change has occurred.

Please be advised that your facility records must be kept current and they are subject to review by APHIS Officials during compliance inspections. You may order record keeping forms from this office free of charge.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at (970) 494-7478 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens, D V M  
Regional Director – Animal Care  
Western Region

cc: Kendall D. Lundy, A.C.I.

Enclosures



**United States  
Department of  
Agriculture**

**Marketing and  
Regulatory  
Programs**

**Animal and  
Plant Health  
Inspection  
Service**

**Animal Care**

EXPIRATION DATE: FEBRUARY 18, 2011

COPY

This is to certify that JEFF FORTIN

is a licensed  
under the CLASS B DEALER

**Animal Welfare Act**  
(7 U.S.C. 2131 et seq.)

Certificate No. 48-B-0225

Customer No. 4248

  
Deputy Administrator

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0579-0036. The time required to complete this information collection is estimated to average 25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

No license may be issued unless a completed application has been received (7 U.S.C. 2132-2143), and the applicant is in compliance with the standards and regulations Section 2133.

U.S. DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

DO NOT USE THIS SPACE - OFFICIAL USE ONLY

# APPLICATION FOR LICENSE

(TYPE OR PRINT)

SEND THE COMPLETED FORM TO:  
USDA APHIS ANIMAL CARE  
Western Region  
2150 Centre Ave.  
Building B, Mailstop 3W11  
Fort Collins, CO 80526-8117  
(970) 494-7478

RENEWAL

LICENSE NO./CUST NO	RENEWAL DATE	FEES	
		AMOUNT	DATE RECEIVED
48-B-0225 4248	18-Feb-2010		

1. NAME(S) OF OWNER(S) AND MAILING ADDRESS

Jeff Fortin  
725 B B Lane  
Oberlin, KS 67749

2. ALL BUSINESS NAME, LOCATIONS, AND ALL SITES HOUSING ANIMALS (P. O. Box not acceptable)

208 S Minnesota  
Selden, KS 67757  
County: DECATUR

COUNTY: DECATUR TELEPHONE (785) - 475 - 2908

3. IF PREVIOUSLY LICENSED - NAME AND ADDRESS

PREVIOUS LICENSE NO.:

5. TYPE OF LICENSE

A - Dealer (Breeder)  B - Dealer  C - Exhibitor

7. NATURE OF BUSINESS (Check item that describes nature of your business)

- A - Zoo  B - Aquariums  C - Auction  
 D - Breeder  E - Pets  F - Roadside Zoo  
 G - Circus  H - Animal Acts  I - Carnival  
 J - Drive thru  K - Pet Store  L - Broker  
 Zoo

4. NAME AND ADDRESS OF OTHER BUSINESS(S) HANDLING ANIMALS IN WHICH APPLICANT/LICENSEE HAS AN INTEREST

6. DATE OF LAST BUSINESS YEAR

FROM						TO					
MO	DAY	YEAR	MO	DAY	YEAR						
0	1	0	1	2	3	1	0	9	1	0	9

8. TYPE OF ORGANIZATION

- Partnership  Corporation  Individual  
 Other (Specify) \_\_\_\_\_

9. LIST OWNERS, PARTNERS, AND OFFICERS

NAME AND TITLE	ADDRESS
Jeff Fortin owner Linda Fortin Keri Fortin	725 BB lane Oberlin KS 67749
Best copy available	

10. DEALER ONLY

CLASS A (BREEDER) - LINE 'D' = 1/2 OF LINE 'C'  
 CLASS B (DEALER) - LINE 'D' = LINE 'C' LESS THE AMOUNT PAID FOR THE ANIMAL(S)  
 (Sections 2.6)

A: TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR	(b)(4)
B: TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR	
C: TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)	
D: DOLLAR AMOUNT OF WHICH FEE IS BASED (Sections 2.6 and 2.7)	

11. EXHIBITOR ONLY (No. of animals holding now or held during the last business year, whichever is greater)

DOGS	RABBITS
CATS	NONHUMAN PRIMATES
GUINEA PIGS	MARINE MAMMALS
HAMSTERS	WILD OR EXOTIC MAMMALS
OTHER (i.e., farm animals) (List Species and No.)	

### CERTIFICATION

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and certify to the best of my knowledge I am in compliance with all regulations and standards in 9 CFR, Subpart A, Parts 1, 2, and 3. I certify that I am over 18 years of age.

12. SIGNATURE

(b)(6), (b)(7)c

13. NAME AND TITLE (Type or Print)

Jeff Fortin Owner

14. DATE

2-16-2010



United States  
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2150 Centre Ave.  
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Ft. Collins, CO 80526  
Phone: 970-494-7478  
Fax: 970/494-7461

RE: LICENSE RENEWAL  
Certificate Number: 48-B-0225  
Renewal Date: 02/18/2010

December 11, 2009  
Customer ID Number: 4248

Jeff Fortin  
725 B B Lane  
Oberlin, KS 67749

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We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at (970) 494-7478 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens, D V M  
Regional Director – Animal Care  
Western Region

cc: Kendall D. Lundy, A.C.I.

Enclosures



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2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970-494-7478  
Fax: 970/494-7461

RE: ACKNOWLEDGE REMOVAL OF SITE  
Certificate Number: 48-B-0225

July 14, 2009  
Customer ID Number: 4248

Jeff Fortin  
725 B B Lane  
Oberlin, KS 67749

Dear Licensee:

As you requested, site number 002 has been removed from your facility Animal Welfare Act (AWA) license. We understand that this site is no longer being used for activities covered under the AWA.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at (970) 494-7478 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens, D V M  
Regional Director – Animal Care  
Western Region

cc: Faron A. Greenough, A.C.I.

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Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970-494-7478  
Fax: 970/494-7461

RE: ACKNOWLEDGEMENT OF RENEWAL  
Certificate Number: 48-B-0225  
Renewal Date: 02/18/2010

February 20, 2009  
Customer ID Number: 4248

Jeff Fortin  
Triple C  
725 B B Lane  
Oberlin, KS 67749

Dear Licensee:

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Sincerely,

Robert M. Gibbens, D V M  
Regional Director – Animal Care  
Western Region

cc: Faron A. Greenough, A.C.I.

Enclosures



EXPIRATION DATE: FEBRUARY 18, 2010

COPY

**United States  
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**Marketing and  
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**Animal and  
Plant Health  
Inspection  
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This is to certify that

JEFF FORTIN

is a licensed  
under the

CLASS B DEALER

## **Animal Welfare Act**

(7 U.S.C. 2131 et seq.)

Certificate No.

48-B-0225

Customer No.

4248

A handwritten signature in cursive script, reading "Charles A. Ripston".

Deputy Administrator

<p><b>U.S DEPARTMENT OF AGRICULTURE</b>  <b>ANIMAL AND PLANT HEALTH INSPECTION SERVICE</b></p> <p><b>APPLICATION FOR LICENSE</b>          (TYPE OR PRINT)</p> <p><b>LICENSE RENEWAL</b></p>	<p style="text-align: center;"><b>DO NOT USE THIS SPACE - OFFICIAL USE ONLY</b></p> <p>SEND THE COMPLETED FORM TO: 2150 Centre Ave, Building B          Mailstop # 3w11          Fort Collins, CO 80526 8117          Telephone: (970) 494-7478</p> <p><i>20-9-08 20-08-08          CR 9870 7600</i></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">CERTIFICATE / CUSTOMER NO.</th> <th style="width:50%;">RENEWAL DATE</th> <th style="width:50%;">FEES</th> </tr> <tr> <td>CERT: 48-B-0225</td> <td>18-FEB-2009</td> <td>AMOUNT</td> </tr> <tr> <td>CUST: 4248</td> <td></td> <td>DATE RECEIVED</td> </tr> </table> <p style="text-align: right;"><i>7600 17-2-09</i></p>	CERTIFICATE / CUSTOMER NO.	RENEWAL DATE	FEES	CERT: 48-B-0225	18-FEB-2009	AMOUNT	CUST: 4248		DATE RECEIVED
CERTIFICATE / CUSTOMER NO.	RENEWAL DATE	FEES								
CERT: 48-B-0225	18-FEB-2009	AMOUNT								
CUST: 4248		DATE RECEIVED								

<p><b>1. NAME(S) OF LICENSEE(S) AND MAILING ADDRESS</b></p> <p>Jeff Fortin           R R 3 Box 45          Oberlin, KS 67749</p> <p>Telephone: (785)475-2908</p>	<p><b>2. ALL BUSINESS (Site) LOCATIONS HOUSING ANIMALS; INCLUDE DIRECTIONS TO EACH LOCATION (P.O. Box not acceptable)</b></p> <p><i>725 BB Lane          R.R. 3 Box 45</i></p> <p>Oberlin, KS 67749          County: Decatur</p> <p>Telephone: (785)475-2908</p>				
<p><b>3. LIST PERSONS 18 YEARS OF AGE OR OLDER AUTHORIZED TO CONDUCT BUSINESS. RESPONSIBLE OFFICIAL SIGNING BLOCK 10 SHOULD BE LISTED IN THIS BLOCK.</b></p> <p><i>Jeff Fortin          Frances Fortin          Joyce Juermemann</i></p> <div style="background-color: #FFDAB9; padding: 5px; text-align: center;">Best Copy Available</div>	<p><b>4. (A) PREVIOUS USDA LICENSE NUMBER (if any)</b></p> <p>48-A-1001</p> <p><b>(B) ACTIVE USDA CERTIFICATE NUMBER IN WHICH YOU HAVE AN INTEREST:</b></p>				
<p><b>6. DATE OF LAST 12-MONTH BUSINESS YEAR (CALENDAR OR FISCAL)</b></p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">FROM</td> <td style="width:50%; text-align: center;">TO</td> </tr> <tr> <td style="text-align: center;">01-JAN-2008</td> <td style="text-align: center;">31-DEC-2008</td> </tr> </table>	FROM	TO	01-JAN-2008	31-DEC-2008	<p><b>5. TYPE OF LICENSE</b></p> <p><input type="checkbox"/> Class A - Breeder <input checked="" type="checkbox"/> Class B - Dealer <input type="checkbox"/> Class C - Exhibitor</p> <p><b>7. TYPE OF ORGANIZATION</b></p> <p><input checked="" type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Other (Specify)</p>
FROM	TO				
01-JAN-2008	31-DEC-2008				

<p><b>8. DEALERS ONLY. Class A or Class B licensees must complete this Block. (Class C Exhibitors go to Block 9)</b></p> <p>CLASS A (BREEDER) - LINE 'D' = 1/2 OF LINE 'C'          CLASS B (DEALER) - LINE 'D' = LINE 'C' LESS THE AMOUNT PAID FOR THE ANIMAL(S)          (Sections 2.6)</p> <p>A TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR</p> <p>B TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR</p> <p>C TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)</p> <p>D DOLLAR AMOUNT ON WHICH FEE IS BASED (SECTIONS 2.6 AND 2.7)</p>	<p><b>9. CLASS C EXHIBITORS ONLY. (Number of animals holding now or held during the last business year, whichever is greater.)</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">DOGS</td> <td style="width:15%;"></td> <td style="width:15%;">NONHUMAN PRIMATES</td> <td style="width:15%;">RODENTS (Do not include lab rats or mice)</td> </tr> <tr> <td>CATS</td> <td></td> <td>MARINE ANIMALS</td> <td>WILD/EXOTIC HOOFFSTOCK</td> </tr> <tr> <td>GUINEA PIGS</td> <td></td> <td>FARM ANIMALS</td> <td>BEARS</td> </tr> <tr> <td>HAMSTERS</td> <td></td> <td>WILD/EXOTIC CANINES</td> <td>WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)</td> </tr> <tr> <td>RABBITS</td> <td></td> <td>WILD/EXOTIC FELINES</td> <td>TOTAL (ALL ANIMALS LISTED IN BLOCK 9)</td> </tr> </table>	DOGS		NONHUMAN PRIMATES	RODENTS (Do not include lab rats or mice)	CATS		MARINE ANIMALS	WILD/EXOTIC HOOFFSTOCK	GUINEA PIGS		FARM ANIMALS	BEARS	HAMSTERS		WILD/EXOTIC CANINES	WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)	RABBITS		WILD/EXOTIC FELINES	TOTAL (ALL ANIMALS LISTED IN BLOCK 9)
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**CERTIFICATION**

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and certify to the best of my knowledge I am in compliance with all the regulations and standards in 9 CFR, Subpart A, Parts 1, 2 and 3. I certify that I am 18 years of age or older.

10. SIGNATURE	11. PRINT NAME	12. SOCIAL SECURITY OR TAX IDENTIFICATION NUMBER	13. DATE
<i>(b)(6), (b)(7)c</i>	JEFF FORTIN	<i>[REDACTED]</i>	2-14-09

December 12, 2008



Jeff Fortin  
4-10 Best Pets  
R R 3 Box 45  
Oberlin, KS 67749

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2009  
RE: LICENSE RENEWAL

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We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert M. Gibbens".

Robert M. Gibbens, D V M  
Regional Director - Animal Care  
Western Region

cc: Faron A. Greenough, A.C.I.

Enclosures



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2150 Centre Ave.  
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Phone: 970/494-7478  
Fax: 970/494-7461

COPY

February 19, 2008

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2009  
RE: ACKNOWLEDGEMENT OF RENEWAL

Jeff Fortin  
4-10 Best Pets  
R R 3 Box 45  
Oberlin, KS 67749

Dear Licensee:

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Regional Director - Animal Care  
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cc: Faron A. Greenough, A.C.I.

Enclosures

EXPIRATION DATE: FEBRUARY 18, 2009



**United States  
Department of  
Agriculture**

**Marketing and  
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**Animal and  
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This is to certify that **JEFF FORTIN**

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(7 U.S.C. 2131 et seq.)

Certificate No. **48-B-0225**

Customer No. **4248**

A handwritten signature in cursive script that reads "Charles A. Gibson".

Deputy Administrator

<p><b>U.S. DEPARTMENT OF AGRICULTURE</b>  <b>ANIMAL AND PLANT HEALTH INSPECTION SERVICE</b></p> <p><b>APPLICATION FOR LICENSE</b>          (TYPE OR PRINT)</p> <p><b>LICENSE RENEWAL</b></p>	<p style="text-align: center;"><b>DO NOT USE THIS SPACE - OFFICIAL USE ONLY</b></p> <p>SEND THE COMPLETED FORM TO: 2150 Centre Ave, Building B          Mailstop # 3w11          Fort Collins, CO 80526 8117          Telephone: (970) 494-7478</p> <p style="font-size: small;">NE-8-00250.0          OF 4959 7600</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:60%;">CERTIFICATE / CUSTOMER NO.</th> <th style="width:20%;">RENEWAL DATE</th> <th style="width:20%;">FEES</th> </tr> <tr> <td>CERT: 48-B-0225</td> <td>18-FEB-2008</td> <td>AMOUNT DATE RECEIVED</td> </tr> <tr> <td>CUST: 4248</td> <td></td> <td>7600 19-Feb-08</td> </tr> </table>	CERTIFICATE / CUSTOMER NO.	RENEWAL DATE	FEES	CERT: 48-B-0225	18-FEB-2008	AMOUNT DATE RECEIVED	CUST: 4248		7600 19-Feb-08
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CERT: 48-B-0225	18-FEB-2008	AMOUNT DATE RECEIVED								
CUST: 4248		7600 19-Feb-08								

<p><b>1. NAME(S) OF LICENSEE(S) AND MAILING ADDRESS</b></p> <p>Jeff Fortin          R R 3 Box 45          Oberlin, KS 67749</p> <p>Telephone: (785)475-2908</p>	<p><b>2. ALL BUSINESS (Site) LOCATIONS HOUSING ANIMALS; INCLUDE DIRECTIONS TO EACH LOCATION (P.O. Box not acceptable)</b></p> <p>R R 3 Box 45          Oberlin, KS 67749          County: Decatur</p> <p>Telephone: (785)475-2908</p> <p style="font-size: small; margin-left: 20px;">1234 2nd Ave          Decatur, KS          67831          208 3 Miles          &amp; 1/2          6775</p>
---	--

<p><b>3. LIST PERSONS 18 YEARS OF AGE OR OLDER AUTHORIZED TO CONDUCT BUSINESS. RESPONSIBLE OFFICIAL SIGNING BLOCK 10 SHOULD BE LISTED IN THIS BLOCK.</b></p> <p>Jeff Fortin          Rebecca Fortin          Kari Fortin</p>	<p><b>4. (A) PREVIOUS USDA LICENSE NUMBER (if any)</b></p> <p>48-A-1001</p> <p><b>(B) ACTIVE USDA CERTIFICATE NUMBER IN WHICH YOU HAVE AN INTEREST:</b></p>
<p><b>5. TYPE OF LICENSE</b></p> <p><input type="checkbox"/> Class A - Breeder <input checked="" type="checkbox"/> Class B - Dealer <input type="checkbox"/> Class C - Exhibitor</p>	

<p><b>6. DATE OF LAST 12-MONTH BUSINESS YEAR (CALENDAR OR FISCAL)</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">FROM</th> <th style="width:50%;">TO</th> </tr> <tr> <td>01-JAN-2007</td> <td>31-DEC-2007</td> </tr> </table>	FROM	TO	01-JAN-2007	31-DEC-2007	<p><b>7. TYPE OF ORGANIZATION</b></p> <p><input checked="" type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Other (Specify)</p>
FROM	TO				
01-JAN-2007	31-DEC-2007				

<p><b>8. DEALERS ONLY. Class A or Class B licensees must complete this Block.</b>          (Class C Exhibitors go to Block 9)</p> <p>CLASS A (BREEDER) - LINE 'D' = 1/2 OF LINE 'C'          CLASS B (DEALER) - LINE 'D' = LINE 'C' LESS THE AMOUNT PAID FOR THE ANIMAL(S)          (Sections 2.6)</p> <p>A. TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR</p> <p>B. TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR</p> <p>C. TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)</p> <p>D. DOLLAR AMOUNT ON WHICH FEE IS BASED (SECTIONS 2.6 AND 2.7)</p>	<p><b>9. CLASS C EXHIBITORS ONLY. (Number of animals holding now or held during the last business year, whichever is greater.)</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">DOGS</td> <td style="width:15%;">NONHUMAN PRIMATES</td> <td style="width:15%;">RODENTS (Do not include lab rats or mice)</td> </tr> <tr> <td>CATS</td> <td>MARINE ANIMALS</td> <td>WILD/EXOTIC HOOFSTOCK</td> </tr> <tr> <td>GUINEA PIGS</td> <td>FARM ANIMALS</td> <td>BEARS</td> </tr> <tr> <td>HAMSTERS</td> <td>WILD/EXOTIC CANINES</td> <td>WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)</td> </tr> <tr> <td>RABBITS</td> <td>WILD/EXOTIC FELINES</td> <td>TOTAL (ALL ANIMALS LISTED IN BLOCK 9)</td> </tr> </table>	DOGS	NONHUMAN PRIMATES	RODENTS (Do not include lab rats or mice)	CATS	MARINE ANIMALS	WILD/EXOTIC HOOFSTOCK	GUINEA PIGS	FARM ANIMALS	BEARS	HAMSTERS	WILD/EXOTIC CANINES	WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)	RABBITS	WILD/EXOTIC FELINES	TOTAL (ALL ANIMALS LISTED IN BLOCK 9)
DOGS	NONHUMAN PRIMATES	RODENTS (Do not include lab rats or mice)														
CATS	MARINE ANIMALS	WILD/EXOTIC HOOFSTOCK														
GUINEA PIGS	FARM ANIMALS	BEARS														
HAMSTERS	WILD/EXOTIC CANINES	WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)														
RABBITS	WILD/EXOTIC FELINES	TOTAL (ALL ANIMALS LISTED IN BLOCK 9)														

**CERTIFICATION**

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and certify to the best of my knowledge I am in compliance with all the regulations and standards in 9 CFR, Subpart A, Parts 1, 2 and 3. I certify that I am 18 years of age or older.

<b>10. SIGNATURE</b>	<b>11. PRINT NAME</b>	<b>12. SOCIAL SECURITY OR TAX IDENTIFICATION NUMBER</b>
(b)(6), (b)(7)c	Jeff Fortin	(b)(6), (b)(7)c
		<b>13. DATE</b>
		2-13-08



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

December 17, 2007

Jeff Fortin  
4-10 Best Pets  
R R 3 Box 45  
Oberlin, KS 67749

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2008  
RE: LICENSE RENEWAL

Dear Licensee:

This is to remind you that your U.S. Department of Agriculture (USDA) Animal Welfare Act (AWA) license is due for renewal on or before the above expiration date. This is the only renewal notice you will receive.

Please complete the enclosed application form, making any necessary corrections to the pre-printed information, and return it to the above address, along with the appropriate license renewal fee. The annual fee is calculated by using the enclosed fee schedule. You may pay by cashier's check, certified check, personal check or money order made payable to the United States Department of Agriculture. You can also pay with a Visa or MasterCard, using the enclosed credit card authorization form. However, we cannot accept cash payments.

Please note that you must have an approved, complete, and up-to-date program of veterinary care form on file at your place of business. You can obtain blank forms -- or any others you may need -- directly from this office or your USDA inspector. The AWA also requires that you report to us any changes in your name, address, location, management, control or ownership of your business via certified mail within 10 days after the change has occurred.

It is very important that you file your AWA license renewal application before the expiration date elapses -- any renewal notices received after that date will be considered invalid and returned. Accordingly, to continue to conduct AWA regulated business, it would be necessary for you to reapply and undergo the entire pre-licensing process. If your license expires and you continue to operate as a dealer or exhibitor, you will be in violation of the AWA and subject to legal action.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

cc: Faron A. Greenough, A.C.I.

Enclosures



COPY

United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

11-Aug-2010

Customer ID: 4248  
Certificate Number: 48-B-0225

JEFF FORTIN  
725 B B LANE  
OBERLIN, KS 67749

Dear Mr. Fortin:

Thank you for your letter dated July 20, 2010, advising us of the addition of (b)(6),(b)(7)c and (b)(6),(b)(7)c as authorized persons.

Our database has been updated and your inspector will be notified.

If you have any questions concerning this letter or the Animal Welfare Act, please contact this office at 970-494-7472.

Sincerely,

Robert M. Gibbens, DVM  
Regional Director – Animal Care  
Western Region

cc: KENDALL LUNDY, A.C.I.



Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Programs

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48-B-0225  
4248

Jeff Fortin  
725 BB Lane  
Oberlin KS 67749  
785-475-2908

July 20, 2010

To Whom It May Concern,

I would like to add my sister, (b)(6), (b)(7)c and my son, (b)(6), (b)(7)c to my license. My USDA number is 48B0225.

Please call me with any questions.

Sincerely,

(b)(6), (b)(7)c

Jeff Fortin

1. "Authorized People"
2. Yes they are both 18 or older

JUL 26 2010

AUG - 9 2010

USDA  
APHIS, Animal Care Western Region

This letter is to inform you that we have moved our office and location for Classic Canine Companions. (License # 48B0225) from HC 1 Box 13A Selden KS 67757, to 725 BB Lane, Oberlin KS 67749 (The same location as 4-10 Best Pets)  
Thank You, if I need to do anything further please advise.

(b)(6), (b)(7)c

Jeff Fortin  
725 BB Lane  
Oberlin KS 67749  
785-475-2908

JUL - 9 2009



02-Aug-2010

United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

Jeff Fortin  
725 BB Lane  
Oberlin, KS 67749

Customer ID: 4248  
License #: 48-B-0225  
Renewal Date: 18-Feb-2011

Dear Licensee:

We recently received your letter dated 20-Jul-2010, requesting two people (Jane Carlisle and Jeb Fortin) be added to your license. However, we are unable to process it for the reasons indicated below. Please return a response to the questions below to our office on or before on or before 16-Aug-2010 to avoid further delay.

\_\_\_\_\_ Please complete and submit original form APHIS Form 7003-A.

\_\_\_\_\_ Please send \$10.00 application fee.

\_\_\_\_\_ Please send \$\_\_\_\_\_ fee required under Block \_\_\_\_\_ of form.

\_\_\_\_\_ Please return the corrected form along with payment of \$\_\_\_\_\_.

\_\_\_\_\_ Please correct/complete the enclosed Credit Card Authorization form.

\_\_\_\_\_ Please provide an original signature.

We have returned your letter dated 20-Jul-2010, requesting that Jane Carlisle, Sister, and Jeb Fortin, Son, be added to your license because you did not state if you wanted them added as "owners" or "authorized people." If you want them added as owners, you'll need to reapply as a "partnership" including their names with yours in Block 1 and get and new license. If they will be "owners" or "authorized people," we also need to know if they are both 18 years old. Please write on the bottom of the enclosed letter how old they are and if they should be "owners" or "authorized people." I phoned you and left two messages requesting that you call me back and I never received a response. Thank you for your assistance.

If you have any questions regarding this letter or the Animal Welfare Act, please feel free to contact this office at (970) 494-7469.

Sincerely,

Robert M. Gibbens, DVM  
Director  
Western Region, Animal Care

cc: Kendall Lundy, ACI



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USDA APHIS  
2150 CENTRE AVE  
BUILDING B  
MAILSTOP #3W11  
FT. COLLINS CO 80526

I AM WRITING TO INFORM YOU OF MY DBA CHANGE.

JEFF FORTIN LICENSE NUMBER 48B0225

FORMERLY PIXY PALS NOW DOING BUSINESS AS "TRIPLE C"  
CLASSIC CANINE COMPANIONS

IF YOU NEED ANY MORE INFORMATION PLEASE CALL.

THANK YOU

JEFF FORTIN

(b)(6), (b)(7)c



COPY

February 19, 2008

United States  
Department of  
Agriculture

Jeff Fortin  
4-10 Best Pets  
R R 3 Box 45  
Oberlin, KS 67749

Customer No: 4248  
Certificate No: 48-B-0225

RE: ACKNOWLEDGMENT OF NEW SITE

Animal and Plant  
Health Inspection  
Service

Dear Licensee:

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

Thank you for notifying us of your need for an additional site under your Animal Welfare Act (AWA) license. This site, number 003 has been added to your current license. In order for you to conduct covered activities from your new site, it must first be inspected and in compliance with the AWA. The inspector for your area will contact you to schedule a prelicense inspection. If your inspector has not contacted you within 10 days, please contact this office.

Under the regulations of the AWA, your license is not valid at the new site until an inspection determines that it is in compliance, although you may continue at your original site(s). If covered activities are conducted at a site which has not been approved, it is a violation of the AWA and subject to legal action.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

cc: Faron A. Greenough, A.C.I.



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Jeff Fortin  
4-10 Best Pets  
R R 3 Box 45  
Oberlin, KS 67749



February 7, 2008  
Customer No: 4248  
Certificate No: 48-B-0225

RE: additional site

United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Dear Mr. Fortin,

Animal Care  
Western Region

Please provide us with the address or directions for where your proposed additional site is located.

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

Enclosures

cc: Faron A. Greenough, A.C.I.



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February 4, 2008

USDA  
2150 Centre Ave  
Building B  
Mail Stop #3W11  
Ft. Collins, CO 80526

Dear USDA:

I would like to request an additional site to be added to my current USDA license, which is 48B0225. The addition would be what was formerly Pixy Pals, LLC in Dannebrog, Nebraska. It is now known as Pixy Pals, Inc. Please call with any questions or concerns.

Sincerely,

(b)(6), (b)(7)c

Jeff Fortin

48B0225

USDA, APHIS, Animal Care

**ANIMAL WELFARE COMPLAINT**

Complaint No. FY#W09-016	Date Entered 6-Nov-08	Received By D.W.
Referred To Watkins/Greenough	Reply Due	

**Facility or Person Complaint Filed Against**

Name JEFF FORTIN	Customer/License/Registration No. 4248/48-B-0225		
Address R R 3 BOX 45			
City OBERLIN	State KS	Zip 67749	Phone No (785) 475-2908

**Complainant**

Name Anonymous	Organization forwarded by Dee Koerth Kansas Animal Health Department		
Address 708 SW Jackson			
City Topeka	State KS	Zip 66603-3714	Phone No./Email address 785-296-2326

How was complaint received?  
fax

**Details of Complaint:** Lack of veterinary care, selling underage puppies, shipping without health certificate.

**Results:** I have exhausted every means of trying to investigate this. I have been to both of Fortin's broker facilities and pulled records. Then a records search was done at DIA airport in Denver Colorado. It appears that no puppies were shipped underage or without health certificates. Even though the complaint was received anonymously, I was able to figure while researching the records who made the complaint. Because of the fact that a potential rabies case involved I cleared it through my supervisor to try and make contact with the complainant. After making several attempts to make contact with that person to verify the rabies allegation, I have decide that this might be a false complaint. No other evidence could be found to support any of the allegations on this complaint. I have considered this complaint closed and unfounded.

Application packet provided? Yes  No

INSPECTOR  
Faron Greenough  
REVIEWED BY

DATE  
14-May-09  
DATE  
MAY 15 2009



14 MAY 2009

STATE OF KANSAS  
KANSAS ANIMAL HEALTH DEPARTMENT  
ANIMAL FACILITIES INSPECTION DIVISION  
708 SW Jackson Topeka, Kansas 66603-3714  
Phone (785) 296-2326 Fax (785) 296-1765

**\*\*COMPLAINT/IRREGULARITY REPORT\*\***

**INCIDENT DATE:** 6-08-present 09-95

**FROM:** (b)(6), (b)(7)c **PHONE:**

**SUBJECT:** Jeff Fortin ( KS License ABD 164)  
**ADDRESS:** RR 3 Box 45 (Oberlin KS)  
**CITY, STATE:** Or Dannenburg Nebraska (Brokerage)  
For Pixie Pals  
USDA license 48-B-0225

**Narrative:**

I received a call from a young woman named (b)(6), (b)(7) from Michigan who did not want to provide her last name or telephone number because she said she was afraid that Mr. Fortin and his associates from Pixie Pals might come and harass her like they did her aunt. She stated that she had purchased 20 dogs and that most of them had Coccidia, and Girardia, there was also one dog that had an enlarged heart. Her aunt's dogs were the same way, some of her dogs had "cherry eye" as well.

One of the dogs purchased for resale, bit someone and it ended up that the man became ill with rabies, he had to take a series of shots; the dog was diagnosed as having dormant rabies (b)(6), (b)(7) also stated that some of the puppies were 6 weeks of age and did not have health certificates when they were shipped. I asked her if they were delivered by plane and she said "yes" and I told her that I did not think that a plane would let dogs board without valid health certificates, she said she did not know how they did it but they did. I asked her to have her veterinarian provide the information concerning the Coccidia and Girardia, she said she would but she wanted to call her aunt to get her vet's information first, she said she would call right back but never did.

AFIP RECORDING AGENT: Dec Koerth

RECORDING DATE:

ACTION TO BE TAKEN: Forward to the state of Colorado and USDA due to no jurisdiction for the state of Kansas.

DATE OF COMPLAINT INSPECTION:

**TO BE COMPLETED AND RETURNED BY INSPECTOR**

**FOUNDED**

**UNFOUNDED**

**"NO JURISDICTION"**

**SANITATION**

**HEALTH**

**GENETICS**

**SAFETY**

**COMPLIANCE/RECORDS**

UNLICENSED FACILITY HOBBY BREEDER BOARDING/TRAINING POUND/SHELTER PET SHOP ANIMAL BREEDER RETAIL BREEDER

RESOLUTION:

STATE OF KANSAS  
KANSAS ANIMAL HEALTH DEPARTMENT

George Teagarden, Livestock Commissioner

708 SW Jackson Topeka, Kansas 66603-3714

Phone 785/296-2326 FAX 785/296-1765

[www.kansas.gov/kaahd](http://www.kansas.gov/kaahd)

FAX COVER SHEET

Date: 11-8-08
Number of pages including cover sheet: 2

To: USDA Complaint Dept
Phone:
Fax phone:
CC:

From: Joe Keeth
Phone: (785)296-2326
Fax phone: (785)296-1765

REMARKS:  Urgent  Reply ASAP  Please comment  For your information

As we discussed  As you requested  Please call me about this

Corrected copy



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

March 1, 2010

CERTIFIED MAIL-RETURN  
RECEIPT REQUESTED  
# 7008 0500 0000 7755 3368

Jeff Forton  
725 BB Lane  
Oberlin, KS 67749

License # 48-B-0225  
Customer # 4248

Dear Mr. Forton:

The enclosed APHIS Form 7060, "Official Warning, Violation of Federal Regulations", is being issued to you for alleged violations of the Federal Animal Welfare Act. This notice is being issued at this time as a serious warning that if you fail to comply with the requirements of the Animal Welfare Act in the future, this citation and all past and future documented violations will be used to justify a more severe penalty.

The Animal Welfare Act provides for penalties of up to \$10,000 per violation.

If you have any questions regarding this citation or the Animal Welfare Act, please contact this office at the address or telephone number above.

Sincerely,

Robert M. Gibbens, DVM  
Director  
Western Region, Animal Care

cc: Kendall Lundy, ACI



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UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE	CASE NO.
<b>OFFICIAL WARNING          VIOLATION OF FEDERAL REGULATIONS</b>	VIOLATOR
	<b>Jeff Forton          48-B-0225</b>
	ADDRESS ( <i>Street, City, State, Zip Code</i> )  <b>725 BB lane          Oberlin, KS 67749</b>

The Department of Agriculture has evidence that on or about **November 4, 2009, December 10, 2009, and January 13, 2010**, you or your organization committed the following violations of Federal Regulations:

**2.126 (b) – Repeated failure to make a responsible adult available to accompany APHIS officials during the inspection process. (December 10, 2009 and January 13, 2010)**

**2.4 (b) (2) – Failure to maintain an adequate program of veterinary care (direct violation – November 4, 2009)**

**3.2 (b) – Failure to maintain adequate ventilation in an indoor facility (direct violation- November 4, 2009)**

**3.10 – Failure to provide an adequate supply of potable water to dogs (direct violation- November 4, 2009)**

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS Official.

APHIS OFFICIAL ( <i>Name and Title</i> )		OFFICE ADDRESS:
<b>Robert M. Gibbens, Director</b>		2150 Centre Ave. Building B, MS3W11
SIGNATURE	DATE ISSUED	Fort Collins, CO 80526
	3/01/10	TELEPHONE NO. AC (970) 494-7478
FOR PERSONAL SERVICE - RECEIVED BY: ( <i>Name and signature</i> )		DATE RECEIVED:
FOR CERTIFIED MAIL - RECEIPT NO: 7008 0500 0000 7755 3368		
APHIS FORM 7060 (JUN 91) Previous editions may be used <b>PART 1 - VIOLATOR</b>		



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

August 8, 2005

Tim Fordahl  
Western Regional Director  
Investigative & Enforcement Services

**Request for Investigation of Alleged Violations  
Regarding the Animal Welfare Act, Regulations,  
and/or Standards**

Please initiate an investigation on the following individual:

Lizann & Jeff Fortin  
4-10 Best Pets  
RR 3, Box 45  
Oberlin, KS 67749  
48-B-0225, customer number 4248

This facility has a history of chronic non-compliance. The last inspection, dated July 26, 2005, had 10 separate violations with three being repeats.

If further information is needed, please let me know.

Robert M. Gibbens  
Director, Western Region  
USDA, APHIS, Animal Care

cc: Faron Greenough



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# Investigative and Enforcement Services

# Settlement Agreement

USDA, APHIS, IES  
 4700 River Road, Unit 85  
 Riverdale, MD 20737  
 Phone: (301) 734-8684  
 Fax: (301) 734-4328

#11268  
 48-2-0205  
 1/23/06

**RESPONDENT:**  
 Jeff Fortin  
 dba 4-10-Best Pets  
 R 3 Box 45  
 Oberlin, KS 67749

**CASE NUMBER** KS05033-AC  
**DUE ON OR BEFORE** February 13, 2006  
**CONTACT** Janice Sedgwick  
**PHONE** 301-734-8759

DATE	CITATION	DESCRIPTION
(SEE ATTACHED PAGES)		

**PENALTY** \$8,795

**TERMS**

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

Signature of Respondent:

Date:

**PAYMENT RECORD - FOR IES USE ONLY**

Payment Type	Date	Amount	Signature of IES Representative

<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
01 AUG 02	2.126	<b>Access and inspection of records and property.</b> A responsible adult was not available to conduct an inspection.
01 OCT 02	3.1(a)	<b>Housing facilities, general.</b> The pens were in disrepair and not in condition to contain or protect the animals from injury.
	3.1(c)(1)(ii)	<b>Surfaces.</b> Failed to have enclosures free of sharp points and jagged edges.
	3.1(c)(3)	<b>Cleaning.</b> Failed to provide enclosures free of excreta.
	3.4(b)	<b>Shelter from the elements.</b> Failed to provide an adequate amount of housing to contain all the dogs at one time.
	3.4(b)(2)	Failed to provide shade for the dogs from the direct sun rays.
	3.4(b)(3)	Failed to provide wind and rain breaks on outdoor housing.
	3.4(c)	<b>Construction.</b> Failed to have surfaces impervious to moisture.
	3.11(a)	<b>Cleaning, sanitation, housekeeping, and pest control.</b> Failed to keep the facility free of excreta and food waste.
20 AUG 03	2.75(a)(1)	<b>Records: dealers and exhibitors.</b> Failed to maintain records in an orderly manner.
	3.1(a)	<b>Housing facilities, general.</b> The pens were in disrepair and not in condition to contain or protect the animals from injury.
	3.1(b)	<b>Condition and site.</b> Failed to keep the facility free of trash and clutter.
	3.1(c)(1)(i)	<b>Surfaces.</b> Failed to keep surfaces free from excessive rust.
	3.1(c)(3)	<b>Cleaning.</b> Failed to provide enclosures free of fecal material.
	3.4(b)	<b>Shelter from the elements.</b> Failed to provide an adequate amount of housing to contain all the dogs at one time.
	3.4(c)	<b>Construction.</b> Failed to have surfaces impervious to moisture.
	3.6(a)(2)(ii)	<b>Primary enclosures.</b> Failed to provide primary enclosures that protected the dogs' feet from injury.
	3.11(c)	<b>Cleaning, sanitation, housekeeping, and pest control.</b> Failed to keep pens and the kennel area free from weeds and grasses.
15 JUL 04	2.50(b)(3)	<b>Time and method of identification.</b> Failed to have proper identification on puppies to be sold.
	2.75(a)(1)	<b>Records.</b> Failed to have acquisition records filled out properly.

	3.1(f)	<b>Drainage and waste disposal.</b> Failed to provide proper waste disposal and drainage.
	3.4(b)	<b>Shelter from the elements.</b> Failed to provide an adequate amount of housing to contain all the dogs at one time.
	3.4(b)(2)	Failed to provide shade for the dogs from the direct sun rays.
	3.6(a)(1)	<b>Primary enclosures, general requirements.</b> Failed to provide enclosures that were structurally sound.
	3.6(a)(2)(i)	Failed to have primary enclosures that were free of sharp points and edges.
	3.6(c)(1)(i)	<b>Additional requirements for dogs.</b> Failed to provide a minimum amount of floor space.
	3.11(d)	<b>Cleaning, sanitation, housekeeping, and pest control.</b> Failed to have an effective program to control insects and external parasites.
25 AUG 04	3.4(b)	<b>Shelter from the elements.</b> Failed to provide an adequate amount of housing to contain all the dogs at one time.
	3.4(b)(2)	Failed to provide shade for the dogs from the direct sun rays.
	3.6(a)(1)	<b>Primary enclosures, general requirements.</b> Failed to provide enclosures that were structurally sound.
26 JUL 05	2.40(b)(3)	<b>Attending veterinarian and adequate veterinary care.</b> Failed to provide adequate veterinary care for a female dachshund that needed treatment.
	3.1(a)	<b>Housing facilities, general.</b> Failed to have pens constructed that protected the animals from injury.
	3.1(f)	<b>Drainage and waste disposal.</b> Failed to provide proper waste disposal and drainage.
	3.4(b)	<b>Shelter from the elements.</b> Failed to provide an adequate amount of housing to contain all the dogs at one time.
	3.4(b)(3)	Failed to provide wind and rain breaks on the entrances of the outdoor houses.
	3.4(c)	<b>Construction.</b> Failed to have outdoor pens free of holes and to have gravel added.
	3.6(a)(1)	<b>Primary enclosures, general requirements.</b> Failed to provide enclosures that were structurally sound.
	3.6(a)(2)(x)	Failed to have flooring constructed in a manner to protect the dogs' feet.
	3.11(c)	<b>Cleaning, sanitation, housekeeping, and pest control.</b> Failed to keep the outside pens and the kennel area free from weeds and grasses.



**United States  
Department of  
Agriculture**

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Jeff Fortin  
dba 4-10-Best Pets  
R 3 Box 45  
Oberlin, KS 67749

Dear Mr. Fortin:

Animal and Plant Health Inspection Service (APHIS) enforces regulations to protect the health and care of animals, plants, and agricultural industry. Violations of these regulations jeopardize the animal and plant health systems that are vital to protect American agriculture.

Our investigation shows that you have violated the United States Code of Federal Regulations as described on the enclosed Stipulation. APHIS laws and regulations provide for administrative and criminal penalties to enforce these regulatory requirements.

The Secretary of Agriculture may, after providing notice and opportunity for a hearing, impose civil penalties or other sanctions. You may, however, waive your right to a hearing and settle this matter by paying \$ 8,795 by February 13, 2006, and signing the enclosed Stipulation.

Please pay the \$8,795 penalty by certified check or money order made payable to the Treasurer of the United States. Write the Case Number (KS05033-AC) on your check or money order and mail it with the signed Stipulation to:

USDA, APHIS, (General) (KS05033-AC))  
P. O. Box 979043  
St. Louis, MO 63197-9000

If we do not receive your signed stipulation agreement and payment or notice that you wish to exercise your right to a hearing by February 13, 2006, this matter will be forwarded to the Department's Office of the General Counsel for litigation. The penalty offered in this Stipulation is not relevant to the sanctions APHIS may seek, or that will be assessed after issuance of a formal complaint. You may contact our office at telephone number (301) 734-8684 if you have any questions.

Sincerely,

Allison Khroustalev  
Assistant Director, Enforcement  
Investigative and Enforcement Services

Enclosure

Cc: T. Fordahl, IES, WR  
R. Walker, IES, KS

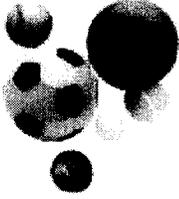
Dr. R. Gibbens, AC, WR

APHIS:IES:JSedgwick:ram:734-8759:01/10/06:KS05033-AC Ltr J. Fortin



*Safeguarding American Agriculture*  
APHIS is an agency of USDA's Marketing and Regulatory Program

An Equal Opportunity Provider and Employer



Robert M  
Gibbens/CO/APHIS/USDA  
12/30/2005 11:50 AM

To ruth.a.mcdermott@aphis.usda.gov  
cc Faron.A.Greenough@aphis.usda.gov@USDA,  
Richard.H.Watkins@aphis.usda.gov@USDA,  
Connie.R.Morris@aphis.usda.gov@USDA,  
bcc

Subject Re: KS05033 - - Jeff and Lizann Fortin

Ruth Ann - - the investigative report documents numerous violations (primarily facility-related, ID, and recordkeeping) in 2003, 2004, and 2005. This facility is in chronic noncompliance and there are multiple repeats and directs. Lizann ceased to be part of the business in October 2004 (divorce), and was officially removed from the license at the Feb 2005 renewal. This is a large business. There are no previous enforcement actions on file. A stipulation appropriate for the violations is recommended.

Robert M. Gibbens, DVM  
Director, Western Region  
USDA, APHIS, Animal Care  
2150 Centre Ave.  
Bldg B, MS 3W11  
Ft. Collins, CO 80526  
970/494-7478

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
INVESTIGATIVE AND ENFORCEMENT SERVICES  
WESTERN REGION  
FORT COLLINS, CO

**REPORT OF INVESTIGATION**

Violator(s): **Jeff Fortin**  
**DBA 4-10-Best Pets**  
R 3 Box 45  
Oberlin K.S. 67749  
(b)(6), (b)(7)c  
(785) 475- 7187

Case Number: KS05033-AC

Violation(s): 9 CFR 2&3

Investigator: (b)(6),(b)(7)c  
USDA ,APHIS,IES  
2150 Centre AVE.  
Building B -3W10  
Fort Collins, Co. 80524

(b)(6),(7)c

Date of Report: December 20, 2005

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This document and its contents are not to be distributed  
outside your agency, nor duplicated, without prior consent  
from USDA, APHIS, Investigative and Enforcement Services.

**SYNOPSIS**

## Violator

Information: Jeff Fortin owns and operates 4-10-Best Pets Kennel a commercial dog breeding kennel and a Pet distributor of puppies. Jeff Fortin is licensed with the USDA as a class B Dealer (48-B-0225) and is licensed with the State of Kansas (B-164-2006). Jeff Fortin has been licensed with the USDA for 14 years. Jeff Fortin has approximately 800 breeding age dogs at this time. Jeff Fortin was in business with Lizann Fortin until October of 2004 .

## Previous

History: A review of the IES Tracking System disclosed no previous USDA APHIS violations by the named alleged violator.

## Violation

Events: The investigation documents Jeff Fortin knowingly violated numerous sections of the 9CFR. Parts 2&3. These violations were documented during USDA – Animal Care inspections and included deficiencies of: Veterinary Care, Access and Inspection of Records and Property, Records, Identification of animals, Housing facilities, Surfaces, Drainage, Waste Disposal, Shelter from Elements, Surfaces, Primary enclosures, Outdoor Housing, Cleaning and Sanitation.

## EXPLANATION OF THE EVIDENCE

9 CFR  
2.126

**August 01, 2002**

Access and Inspection of Records and Property

Jeff Fortin failed to be available to conduct an inspection during designated hours of inspection as evidenced by:

**Exhibit 1** - Animal Care Inspection report states on Thursday August 1, 2002 I was at your facility to conduct a inspection and there was not a qualified individual present.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

**October 01, 2002**

3.1(a)

Housing Facilities, General

Jeff Fortin failed to have pens constructed that contained the animals and protected the animals from injury as evidenced by:

**Exhibit 3-** Animal Care Inspection Report states :

1. Door frame on pen #2 on the West side of refer building, is starting to pull away from the wall.
2. Pen #3 east side of Green building has a cloth shade that has fallen into the pen and could possibly allow the dogs to get injured.
3. Pen #5 on the West side of the Sundowner building has a hole in the top of the wire on the outside portion of the run.
4. Pen #3 East side of the Whelping building has small wire attached to the divider panel, that has become torn and pen #3 on the west side has divider paneling that has been bent and is in disrepair.
5. The divider panel between #4 and 5 of the outdoor kennels has become bent and in disrepair.
6. Pen #4 east of barn has shade support that is weak and starting to collapse.
7. The Pyrenees pen needs to have the northeast corner fenced off to keep the dogs from climbing on the barn roof.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1(c)(1)(ii)

Surfaces

Jeff Fortin failed to have enclosures free of sharp points and jagged edges as evidenced by:

**Exhibit 3-** Animal Care Inspection Report states pen #8 in the outdoor kennels has a fixed shade that has become bent and broken.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

- 3.1( c)(3) Housing Facilities General  
 Jeff Fortin failed to provide pens that were free of excreta as evidenced by:  
**Exhibit 3-** Animal Care Inspection Report states all the outdoor runs are in need of being cleaned of excreta.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4 (b) Outdoor Housing Facilities  
 Jeff Fortin failed to provide outdoor housing and enough housing to contain all the dogs at one time as evidenced by:  
**Exhibit 3-** Animal Care Inspection Report states:  
 1. At the time of inspection there was no housing in four east barn pens.  
 2. Pen #1 housing three dogs did not have enough housing to contain all of the dogs at one time.  
 3. Pen #7 in the garage kennel housing four dogs does not have enough housing to contain all the dogs at one time.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4 (b)(2) Outdoor Housing Facilities  
 Jeff Fortin failed to provide shade for the dogs from the direct sun rays as evidenced by:  
**Exhibit 3-** Animal Care Inspection Report states pen #45 in the Outdoor facility and the pens in the New Jack building needs to have shade added to protect the dogs from the direct sun.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4(b)(3) Shelter from the Elements  
 Jeff Fortin failed to provide wind and rain breaks on outdoor housing as evidenced by:  
**Exhibit 3-** Animal Care Inspection Report states pens 17 thru 20 and pen 27 of the out door facility and pens 1 thru 5 on the east side of the garage needs to have a wind and rain breaks provided on the entrances.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4 ( c) Construction  
 Jeff Fortin failed to have surfaces impervious to moisture as evidenced by:  
**Exhibit 3-** Animal Care Inspection Report states the wood door frames around the dog doors in the 2 replacement pens and the insides of the houses in the Jack building pens 1,2 and 3 need to be made impervious to moisture. There are at least 25 pens that need to have dirt or sand added to the pens to keep the dogs from coming in contact with the panels.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.11( a)

Cleaning, Sanitation, Housekeeping and Pest Control

Jeff Fortin failed to keep the facility free of excreta and food waste as evidenced by:

**Exhibit 3-** Animal Care Inspection Report states the ground under the wash downs on both sides of the Sundowner building are in need of being cleaned. All of the ground runs are in need of being cleaned of excreta.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

**August 20, 2003**

2.75(a)(1)

Records: Dealers and Exhibitors

Jeff Fortin failed to maintain records in an orderly manner as evidenced by:

**Exhibit 4** - Animal Care Inspection Report states the Records of Dogs on Hand are in need of being updated. These records showed a lot of entries that did not have all the information required.

**Exhibit 5** - Affidavit of Faron Greenough dated 12/ 13/2005 states I would estimate 60 percent of the entries were not complete and correct.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1(a)

Housing Facilities, General

Jeff Fortin failed to have pens constructed so they contained the animals and protected them from injury as evidenced by:

**Exhibit 4** - Animal Care Inspection Report states there are 5 pens with wire fence liners and 13 doors and door ways in need of being repaired.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1(b)

Condition and Site

Jeff Fortin failed to keep the facility free of trash and clutter as evidenced by:

**Exhibit 4** - Animal Care Inspection Report states in pen #4 there was accumulation of debris, of broken boards and metal.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1( c)(1)(i)

Surfaces

Jeff Fortin failed to keep surfaces free from excessive rust as evidenced by:

**Exhibit 4** - Animal Care Inspection Report states in pen #7 in the Outback pen has a dog house that was rusting on the walls of the house.

- Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.1( c) (3) Cleaning  
 Jeff Fortin failed to provide enclosures that are free of fecal material as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 4 pens in the Outback pens that had excessive accumulation of feces.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4(b) Shelter from the elements  
 Jeff Fortin failed to provide enough outdoor housing to contain all the dogs at one time as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 13 pens that did not have enough housing to contain all the dogs at one time.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4( c) Construction  
 Jeff Fortin failed to have surfaces impervious to moisture as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 13 pens that were in need of having the holes filled in with gravel.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.6( a) (2)(ii) Primary Enclosures  
 Jeff Fortin failed to provide primary enclosures that protected the dogs feet from injury as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 3 pens in Lewis building in need of having the wire flooring repaired.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.11(c) Cleaning, Sanitation, Housekeeping and Pest Control  
 Jeff Fortin failed to keep pens and the kennel area free from weeds and grasses as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 7 pens in the Eastside pens that are in need of having the weeds controlled, the weeds were 2 to 3 feet tall.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

July 15, 2004

- 2.50(b)(3) Time and Method of Identification  
Jeff Fortin failed to have proper identification on puppies to be sold as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states when reviewing records there were several puppies listed as no collars on the disposition papers.  
**Exhibit 5** - Affidavit of Faron Greenough dated 12/13/2005 states after reviewing this inspection report dated July 15, 2004 with (b)(6),(b)(7)c this non compliant item should have been listed as 2.50(b)(3) instead of 2.50(a) (1). I miss quoted the regulation on this inspection report.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn’t realize it was a big problem.
- 2.75(a)(1) Records  
Jeff Fortin failed to have acquisition records fill out properly as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states at time of inspection the 7005 disposition papers were not fill out correct.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn’t realize it was a big problem.
- 3.1(f) Drainage and Waste Disposal  
Jeff Fortin failed to provide proper waste disposal and drainage as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states there were 3 drain pipes that had fallen off of there connections and was letting the waste and water pool on the ground.  
**Exhibit 5** - Affidavit of Faron Greenough dated 12/ 13/ 2005 states after reviewing this inspection report dated July 15, 2004 with (b)(6),(b)(7)c this non compliant item should have been listed as 3.1 (f) instead of 3.11( c).  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn’t realize it was a big problem.
- 3.4 (b) Shelter from the elements  
Jeff Fortin failed to provide enough outdoor housing to contain all the dogs at one time as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states there were 2 pens that did not have enough housing provided, so all dogs can get into at the same time.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn’t realize it was a big problem.

- 3.4(b) Outdoor Housing Facilities  
 Jeff Fortin failed to provide shade for the dogs from the direct sun rays as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states there were several pens that needed to have shade added.  
**Exhibit 5**- Affidavit of Faron Greenough dated 12/ 13/ 2005 states there were approximately 16 pens in need of shade.
- 3.6(a)(1) Primary Enclosures  
 Jeff Fortin failed to provide enclosures that were structurally sound as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states there were several pens that had broken wires in the floors, and divider panels.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.6(a)(2)(i) Primary Enclosures  
 Jeff Fortin failed to have primary enclosures that were free of sharp points and edges as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states the mesh wire flooring in the Lewis building was bent and broken. The flooring had sharp points and edges.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.6( c)(1)(i) Additional requirements for dogs  
 Jeff Fortin failed to provide a minimum amount of floor space as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states at the time of inspection there were three enclosures that did not have enough minimum floor space.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.11(d) Cleaning, Sanitation, Housekeeping and Pest Control  
 Jeff Fortin failed to have an effective program to control insects and external parasites as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states inside the Lewis building there was a accumulation of rodent feces.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

**August 25, 2004**

- 3.4 (b)            Shelter from the elements  
 Jeff Fortin failed to provide enough outdoor housing to contain all the dogs at one time as evidenced by:  
**Exhibit 7** - Animal Care Inspection Report states there were several dogs in pens #9 in Outback kennels and #4 in the Windbreak pens that did not have enough housing for the dogs.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4(b)(2)        Outdoor Housing Facilities  
 Jeff Fortin failed to provide shade for the dogs from the direct sun rays as evidenced by:  
**Exhibit 7** - Animal Care Inspection Report states there were several pens that needed to have shade added.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.6(a)(1)        Primary Enclosures  
 Jeff Fortin failed to provide enclosures that were structurally sound as evidenced by:  
**Exhibit 7** - Animal Care Inspection Report states there were 5 pens with broken wire in the floors and broken wire in the divider panels.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

**July 26, 2005**

- 2.40(b)(3)        Attending Veterinarian and Adequate Veterinary Care  
 Jeff Fortin failed to provide adequate veterinary care for the animals as evidenced by:  
**Exhibit 8** - Animal Care Inspection Report states the dachshund female needs to be seen by the attending veterinarian.  
**Exhibit 9** - Statement from (b)(6),(b)(7)c stating he had no records or recollection of this dog.  
**Exhibit 10** - Photographs taken by Faron Greenough showing the poor condition of the dog.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we had bought the Dachshund female the day before this inspection.

- 3.1(a) Housing Facilities, General  
Jeff Fortin failed to have pens constructed that protected the animals from injury as evidenced by:  
**Exhibit 8** - Animal Care Inspection Report states there are dog houses in several pens that needs to be repaired and shade structures that need to be secured to keep them structurally sound.  
**Exhibit 11**- Photographs taken by Faron Greenough showing the structure condition's of the outdoor facility.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states these non compliant items has been correct since this inspection.
- 3.1(f) Drainage and Waste Disposal  
Jeff Fortin failed to provide proper waste disposal and drainage as evidenced by:  
**Exhibit 8** - Animal Care Inspection Report states the outside and inside wash downs are leaking around the down spouts and letting the waste leak into the bottom pens. There are 4 pens in the Outback pens that had standing water in them.  
**Exhibit 12** - Photographs taken by Faron Greenough showing pens with drainage problems and leaking drainage pipes on the Sundowner building.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have replaced all the wash downs on this building and have repaired the drainage on the outside of the buildings.
- 3.4 (b) Shelter from the elements  
Jeff Fortin to provide enough outdoor housing to contain all the dogs at one time as evidenced by:  
**Exhibit 8** - Animal Care Inspection Report states there are 11 pens that need to have additional housing added.  
**Exhibit 13** - Photographs taken by Faron Greenough showing dogs with no access to a dog house and additional housing is needed in the outdoor pens.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we moved dogs and added houses at the time of the inspection.
- 3.4(b)(3) Shelter from the Elements  
Jeff Fortin failed to provide wind and rain breaks on the entrances of the outdoor houses as evidenced by:  
**Exhibit 8**- Animal Care Inspection Report states the Hutch kennels and Outback kennels need to have wind and rain breaks on the entrances .  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have added wind and rain breaks to these hutches.
- 3.4( c) Construction  
Jeff Fortin failed to have outdoor pens free of holes and need to have gravel added as evidenced by:  
**Exhibit 8**- Animal Care Inspection Report states there are numerous pens that need to have the holes filled in and having additional flooring material or gravel installed

**Exhibit 14** - Photographs taken by Faron Greenough showing large holes that need to be filled, maintained and gravel added to the pens.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have filled in the holes and have put down flooring so the dogs can not dig under the shades.

3.6(a)(1)

Primary Enclosures

Jeff Fortin failed to provide enclosures that were structurally sound as evidenced by:

**Exhibit 8** - Animal Care Inspection Report states the expanded metal in the refer building needs to have the holes repaired or replaced.

**Exhibit 15** - Photographs taken by Faron Greenough showing gaps and broken expanded metal flooring.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have repaired the flooring.

3.6(a)(2)(x)

Primary Enclosures

Jeff Fortin failed to have flooring constructed in a manner to protect the dogs feet as evidenced by:

**Exhibit 8** - Animal Care Inspection Report states the mesh wire flooring was too large for 2 litters of puppies, it was letting their feet pass thru the flooring.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have replaced these pens.

3.11(c)

Cleaning, Sanitation, Housekeeping and Pest Control

Jeff Fortin failed to keep the outside pens and the kennel area free from weeds and grasses as evidenced by:

**Exhibit 8** - Animal Care Inspection Report states the area around the Outback kennel and East pens needs to have the weeds trimmed. The area around the old Sundowner building needs to have the waste material removed.

**Exhibit 16** - Photographs taken by Faron Greenough showing weeds in and around the pens.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have removed the weeds and removed the waste around the buildings.

**OTHER EVIDENCE**

- Exhibit 17** - Copy of State of Kansas inspection reports dated 12-11-2002, 8-20-03, 11-12-03, 8-19-04 and 7-26-05 showing noncompliant items at the Jeff Fortin facility.
- Exhibit 18** - Copy of 2005-2006 Application for Kansas Animal Breeder & Animal Distributor License showing Jeff Fortin is the owner.
- Exhibit 19** - State of Kansas Animal Breeder & Animal Distributor License showing A-164-05 & B164-5 was issued to Lizann Fortin
- Exhibit 20** - Copy of Animal Care Inspection Reports dated November 12, 2002 September, June 19, 2003 and 08/2004 showing no non compliant items on these inspections.
- Exhibit 21** - Copy of APHIS Form 7003 dated 2-11-2005 showing Jeff Fortin did make application for license.
- Exhibit 22** - Copy of USDA APHIS AC license certificate, documents that the license 48-B- 0225 was issued to Lizann & Jeff Fortin.

**EXHIBIT LIST**

- Exhibit 1** - Animal Care Inspection report
- Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005
- Exhibit 3**- Animal Care Inspection Report
- Exhibit 4** - Animal Care Inspection Report
- Exhibit 5** - Affidavit of Faron Greenough dated 12/ 13/2005
- Exhibit 6** - Animal Care Inspection Report
- Exhibit 7** - Animal Care Inspection Report
- Exhibit 8** - Animal Care Inspection Report
- Exhibit 9** - Statement from (b)(6),(b)(7)c
- Exhibit 10** - Photographs taken by Faron Greenough
- Exhibit 11**- Photographs taken by Faron Greenough
- Exhibit 12** - Photographs taken by Faron Greenough
- Exhibit 13** - Photographs taken by Faron Greenough
- Exhibit 14** - Photographs taken by Faron Greenough
- Exhibit 15** - Photographs taken by Faron Greenough
- Exhibit 16** - Photographs taken by Faron Greenough
- Exhibit 17** -Copy of State of Kansas inspection reports
- Exhibit 18** - Copy of 2005-2006 Application for Kansas Animal Breeder & Animal Distributor License
- Exhibit 19** - State of Kansas Animal Breeder & Animal Distributor License
- Exhibit 20**- Copy of Animal Care Inspection Reports dated November 12, 2002 September, June 19,2003 and 08/2004
- Exhibit 21** - Copy of APHIS Form 7003 dated 2-11-2005
- Exhibit 22** - Copy of USDA APHIS AC license certificate

**WITNESS LIST**

**Faron Greenough (inspector)**  
**USDA-APHIS –AC**  
**2150 Centre AVE.**  
**Building B – 3W10**  
**Fort Collins Co. 80526**  
**(970-494-7467)**

**Patty Herington (Inspector )**  
**KAHD**  
**708 South Jackson**  
**Topeka KS. 66603**  
**(785-296-2326)**

(b)(6),(b)(7)c

**( Attending Veterinarian)**

**R3 Box 2**  
**Oberlin KS 67749**

(b)(6),(7)c



10- 301

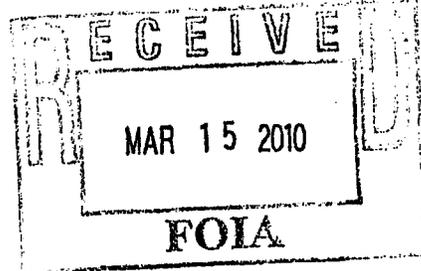
*Sophie  
AC  
IES*

United States  
Department of  
Agriculture

15-Mar-2010

Animal and Plant  
Health Inspection  
Service

Cheryl Saipe, MD



Animal Care  
Western Region

(b)(6),(b)(7)c

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80528  
Phone: 970-494-7478

APR 13 2010

*48-B-1022*

Dear Dr. Saipe,

We acknowledge receipt of your request on 15-Mar-2010 concerning Jeff Fortin.

Your request has been forwarded to our Freedom of Information (FOIA) office in Riverdale, Maryland, for further review. The information you are requesting (request for copies of Administrative Action) is only releasable through FOIA.

In order not to delay any future requests for documentation this office may have, you can submit your requests directly to Freedom of Information at the following address:

USDA, APHIS, Freedom of Information  
4700 River Road Unit 50  
Riverdale, MD 20737-4328  
Telephone: (301) 734-8296  
Fax: (301) 734-5941

If we can be of further assistance, please feel free to contact this office.

Sincerely,

Robert M. Gibbens, DVM  
Director  
Western Region Animal Care



Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Programs  
An Equal Opportunity Provider and Employer

MAR 23 2010

Dr. Robert Gibbens  
USDA Animal Care  
2150 Centre Avenue Bldg B  
Mailstop 3W11  
Ft Collins, CO 80526

March 15, 2010

Dr. Gibbens,

I am a concerned citizen writing you to report animal abuse at the 4-10 Best Pests puppy mill in Kansas. It is located at 725 B B Lane , Oberlin ,Kansas . It is owned by Jeff Fortin. I am including the most recent USDA inspection reports and the State of Kansas Animal Health Department inspection reports. These facilities failed inspection by both agencies on 11/05/08 and again one year later on 11/4/09. The facility at 725 BB Lane also failed the state inspection on 8/12/09 .Since the failed inspections on November 5, 2008 and November 4, 2009, the inspectors Kendall Lundy from the USDA and the inspector Elaine Adams from Kansas Animal Health Department, have tried to get back on the premises three times each year (1/21/09,1/30/9,1/27/19 and12/10/09,1/13/10,1/14/10 ) for reinspection . The inspectors were never let back on to the property. If Mr. Fortin had made the repairs cited in the inspection reports I am certain he would have let the inspectors back in. On January 14, 2010;(b)(6),(b)(7)c (b)(6),(b)(7) posted a notice to Jeff Fortin stating that,"Your continued absence is construed by this agency to be a refusal of inspection. The animal facilities inspector will make one more attempt to inspect your facility. If you, or your designated agent, are not available for this inspection, your license may be suspended or revoked. If this occurs, it will be illegal for you to produce for sale, offer or maintain any animals for sale." ( see page 17 of the fax).The agencies have tried SIX times for reinspection and the puppy mill has failed inspection three times since November 5, 2008. Another chance at inspection seems a waste of time and tax payer money when budgets are so tight and there is such a shortage of inspectors. Mr. Fortin is not complying with the law and USDA needs to enforce the laws.

The abuses cited in the reports are horrible and hundreds of dogs are suffering every day. Some dogs have no regular access to clean water, the water pipes are too high for some dogs to reach and the pipes are coated with algae. Most dogs are living in dirty cages that are coated with feces, many cages are dangerous with loose rusty wires ,and many dogs lack sufficient shelter. Also, the reports state that many animals are injured and needed attention by a veterinarian. . There are numerous other horrific violations that you can read in the inspection reports.

These facilities have failed inspection three times in the last 16 months and no reinspection has occurred. Please obtain a search warrant and see what is going on at these puppy mills. The animals are being neglected and abused; the laws written to protect them must be enforced.

I would appreciate hearing a response back as soon as possible and let me know if I can be of any assistance. Also, I appreciate your keeping my name and contact information confidential.

Thank you,

  
Cheryl Saipe MD

(b)(6),(b)(7)c

MAR 15 2010

09-950

*Ac/IEs  
Kewanda*



sharon hall

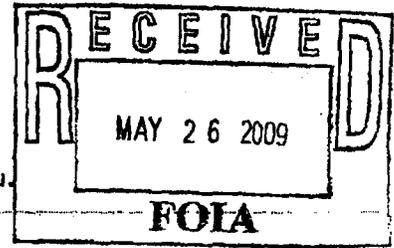
(b)(6),(b)(7)c  
05/21/2009 11:00 PM

To <foia.officer@aphis.usda.gov>

cc

bcc

Subject correction



I just noticed a typo on my address - it's **429** So. 6th St. Thank you.

From: (b)(6),(b)(7)c  
To: foia.officer@aphis.usda.gov  
Subject: dog breeder inspection reports  
Date: Thu, 21 May 2009 21:11:43 -0500

JUN 23 2009

I am writing to request the last three USDA inspection reports on the USDA licensed dog breeder listed below. I am also requesting records of any administrative action (e.g. fines) taken against the breeder. Please let me know who has been assigned to this project. Let me know if you require any additional information in order to fulfill this request.

48-B-0225 Fortin, Jeff 4-10 Best Pets R R 3 Box 45 Oberlin 67749

Thank you,  
Sharon Hall

(b)(6),(b)(7)c

JUN 3 2009

09-524

Debbie  
AC  
IES

FOIA Request Order Form

Date: 01/28/2009  
First Name:\* Katherine  
Last Name:\* Jockers  
Organization:  
Address:\*

Best copy available

City:\*  
State:\*  
Phone\*:  
E-Mail:  
Category:\*

(b)(6),(b)(7)c

- Animal Health
- Animal Welfare
- Financial
- Import/Exports
- Personnel
- Plant Protection and Quarantine
- Veterinary Services
- Wildlife Management
- Miscellaneous

RECEIVED  
JAN 29 2009  
FOIA

FEB 26 2009

Time Period (for requested records)  
01/01/2007 01/01/2009

Description of information you are Requesting:  
Please advise if fees will exceed \$50.00 USD Thanks!

AC complaints and records generated as result

I am requesting inspection reports for customer#4248, license# 48-B-0225 (Fortin, Jeff DBA: 4-10 Best Pets RR 3 Box 45 Oberlin KS 67749) I am particularly interested in the total number of dogs ie: inventory (adult dogs and puppies) on this property, so if that information is available in another type of report, I would like to have it. I would also like to see any open records if applicable.

IES investigations

Thank you so much!

(This individual used to operate under license# 48-A-1001. If reports are available for this license number as well, I would be interested.)

You MUST agree to pay applicable fees in order to process your FOIA request. Fees are charged in the amount of \$25.00 or more. A letter will be sent to you stating the exact amount of your fee.

Yes I agree to pay all applicable fees for this request.

\* Mandatory Field

FEB - 6 2009

DEC 22 2005

USDA/APHIS/IES  
IES Tracking System

**IES110**  
Search for Previous Violations  
Search Pattern: Program = AC Name = FORTIN

Aug. 22, 2005  
Page 1

<u>Case Id</u>	<u>Violator Name</u>	<u>Event Code</u>	<u>Final Action</u>	<u>Final Action Date</u>	<u>Fine Amount</u>	<u>SA</u>
KS95018	* Fortin Jeff	CLOSED	DC	19-DEC-96	0	
KS95018	* Fortin Lizann	CLOSED	DC	19-DEC-96	0	
KS93047	* Fortin Lizann	CLOSED	TK	02-APR-93	0	
KS93076	* Fortin Lizann	CLOSED	SP	18-OCT-93	300	

<u>Case Id</u>	<u>Business Name</u>	<u>Event Code</u>	<u>Final Action</u>	<u>Final Action Date</u>	<u>Fine Amount</u>	<u>SA</u>
----------------	----------------------	-------------------	---------------------	--------------------------	--------------------	-----------

Action Edit Query Block Record Field Help Window



Investigative and Enforcement Services Tracking System

### Case Information

Case ID:  State:  Docket #:  Serial #:  Program:

Violation Date:  Start Date:  Close Date:  Elapsed Time:

Requester:  Title:  Outcome:  Req. Date:  Promise Date:

Auth ID:   Description:

#### Violator Information:

Case ID:  Last Name or Business:  First Name:

Social Security #:  Previous Violation /Business Size:  Date of Birth:  # of Violator:

#### Federal Code Violation:

**! STOP ! SAVE the CASE and VIOLATOR Information BEFORE CLICKING on this button**

**Federal Code Violated FORM**

#### Case Event:

ID	Investigator Name	Event	Remarks	State	Start Date	Stop Date
3326	(b)(6),(b)(7)c	PRIINV	PRIMARY INVESTIGATION (CLOCK)	KS	08/22/2005	

Enter value for First Name

Record: 1/1

... List of Valu...



# Violations History by Customer

04-AUG-200

Page: 1

CUSTOMER: 4248

REGION: ALL

STATE: ALL

SECTION CODE: ALL

INSPECTION DATE from: 01-OCT-1999 to: 31-DEC-2005

AUG - 8 2005

Cust #	Cert #	Description of Violation	Section Code	Paragraph Code	Sub P Code	Sub Sub P Code	Sub Sub Sub	Violation Count	Inspection Date
4248	48-A-1001	Housing Facilities, General.	3.1	c				1	20 JUL 2000
			3.1	f				1	20 JUL 2000
								<b>Violations Total:</b>	<b>2</b>
4248	48-B-0225	Access And Inspection Of Records And Property.	2.126					1	01 AUG 2002
								<b>Violations Total:</b>	<b>1</b>
		Attending Veterinarian And Adequate Veterinary Care (Dealers And Exhibitors).	2.40	a	1			1	26 JUL 2005
			2.40	b	3			1	26 JUL 2005
								<b>Violations Total:</b>	<b>2</b>
		Cleaning, Sanitization, Housekeeping, And Pest Control.	3.11	a				1	01 OCT 2002
			3.11	c				1	08 MAY 2001
								1	26 JUL 2005
								1	15 JUL 2004
								1	20 AUG 2003
			3.11	d				1	25 OCT 2001
								1	15 JUL 2004
								<b>Violations Total:</b>	<b>7</b>
		Housing Facilities, General.	3.1	a				1	26 JUL 2005
								1	20 AUG 2003
								1	01 OCT 2002
			3.1	b				1	08 MAY 2001
			3.1	c	1	i		1	20 AUG 2003
			3.1	c	1	ii		1	20 AUG 2003
			3.1	c	3			1	01 OCT 2002
			3.1	f				1	20 AUG 2003
								1	01 OCT 2002
								1	26 JUL 2005
								<b>Violations Total:</b>	<b>10</b>
		Outdoor Housing Facilities.	3.4	a	1	ii		1	25 OCT 2001
			3.4	b	2			1	01 OCT 2002
			3.4	b	3			1	26 JUL 2005
								1	01 OCT 2002
			3.4	b				1	25 OCT 2001
								1	26 JUL 2005
								1	25 AUG 2004
								1	15 JUL 2004
								1	20 AUG 2003
								1	01 OCT 2002
								1	08 MAY 2001
			3.4	c				1	26 JUL 2005
								1	20 AUG 2003



## Violations History by Customer

04-AUG-200

Page: 2

CUSTOMER: 4248

REGION: ALL

STATE: ALL

SECTION CODE: ALL

INSPECTION DATE from: 01-OCT-1999 to: 31-DEC-2005

AUG - 8 2005

Cust #	Cert #	Description of Violation	Section Code	Paragraph Code	Sub P Code	Sub Sub P Code	Sub Sub Sub	Violation Count	Inspection Date
4248	48-B-0225	Outdoor Housing Facilities.	3.4	c				1	01 OCT 2002
							Violations Total:	14	
		Primary Enclosures.	3.6	a	1			1	26 JUL 2005
								1	25 AUG 2004
								1	15 JUL 2004
								1	25 OCT 2001
			3.6	a	2	i		1	15 JUL 2004
								1	25 OCT 2001
			3.6	a	2	ii		1	20 AUG 2003
			3.6	a	2	x		1	26 JUL 2005
			3.6	c	1	i		1	15 JUL 2004
							Violations Total:	9	
		Records: Dealers And Exhibitors.	2.75	a	1			1	15 JUL 2004
								1	20 AUG 2003
							Violations Total:	2	
		Time And Method Of Identification.	2.50	a	1			1	15 JUL 2004
							Violations Total:	1	
							Report Violations Total:	48	



# ANIMALS INSPECTED at LAST INSPECTION

12-AUG-2005

Page: 1

CUSTOMER: 4248

REGION: ALL

STATE: ALL

INSPECTION DATES FROM: 01-JAN-2002 TO 01-SEP-2005

Cust No	Cert No	Site	Site Name	Inspection Date	Specie	Animal Inventory Count
4248	48-B-0225	001	Lizann & Jeff Fortin	01-OCT-2002	Dog - Adult	691
					Dog - Puppy	216
					Cat - Kitten	3
				12-NOV-2002	Dog - Adult	691
					Dog - Puppy	216
					Cat - Kitten	4
				20-AUG-2003	Dog - Adult	605
					Dog - Puppy	193
				15-JUL-2004	Dog - Adult	610
					Dog - Puppy	305
				25-AUG-2004	Dog - Adult	610
					Dog - Puppy	305
				26-JUL-2005	Dog - Adult	779
					Dog - Puppy	265
					<b>Site Total:</b>	<b>5493</b>



COPY

February 24, 2004

United States  
Department of  
Agriculture

Lizann & Jeff Fortin  
4-10 Best Pets  
Rr 3 Box 45  
Oberlin, KS 67749

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2005  
RE: ACKNOWLEDGEMENT OF RENEWAL

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

Dear Licensee:

Thank you for submitting your Animal Welfare Act (AWA) license renewal documents and applicable fees. Enclosed is a copy of the renewal form and a new certificate indicating that your AWA license has been renewed for another year.

As a reminder, you should file your application for renewal and pay your licensing fees on or before the expiration date each year. We will send you a renewal notice again next year about 60 days before the expiration date of your license. If you cease conducting regulated activities, you may cancel your license at any time by notifying us, in writing, that you wish to terminate your license.

The law also requires that you notify us, by certified mail, of any change in the name, address, location, management and control or ownership of your business within 10 days after such a change has occurred.

Please be advised that your facility records must be kept current and they are subject to review by APHIS Officials during compliance inspections. You may order record keeping forms from this office free of charge.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

cc: Faron A. Greenough, A. C. I.

Enclosures



APHIS - Protecting American Agriculture

An Equal Opportunity Employer



**United States  
Department of  
Agriculture**

**Marketing and  
Regulatory  
Programs**

**Animal and  
Plant Health  
Inspection  
Service**

**Animal Care**

**COPY** EXPIRATION DATE: FEBRUARY 18, 2005

This is to certify that

LIZANN & JEFF FORTIN

DBA: 4-10 BEST PETS

is a licensed

CLASS B DEALER

under the

## **Animal Welfare Act**

(7 U.S.C. 2131 et seq.)

Certificate No.

48-B-0225

Customer No.

4248

A handwritten signature in cursive script that reads "Charles A. Ripson".

Deputy Administrator

<p>U.S DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE</p> <p><b>APPLICATION FOR LICENSE</b> (TYPE OR PRINT)</p> <p><b>LICENSE RENEWAL</b></p>	<p style="text-align: center;"><b>DO NOT USE THIS SPACE - OFFICIAL USE ONLY</b></p> <p>SEND THE COMPLETED FORM TO: 2150 Centre Ave, Building B Mailstop # 3w11 Fort Collins, CO 80526 8117 Telephone: (970) 494-7478</p> <p style="font-size: small; margin-top: 10px;"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:33%;">CERTIFICATE / CUSTOMER NO.</th> <th style="width:33%;">RENEWAL DATE</th> <th colspan="2">FEES</th> </tr> <tr> <td>CERT: 48-B-0225 CUST: 4248</td> <td>18-FEB-2004</td> <td style="text-align: center;">AMOUNT</td> <td style="text-align: center;">DATE RECEIVED</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">760.00</td> <td style="text-align: center;">18-Feb-04</td> </tr> </table> </p>	CERTIFICATE / CUSTOMER NO.	RENEWAL DATE	FEES		CERT: 48-B-0225 CUST: 4248	18-FEB-2004	AMOUNT	DATE RECEIVED			760.00	18-Feb-04
CERTIFICATE / CUSTOMER NO.	RENEWAL DATE	FEES											
CERT: 48-B-0225 CUST: 4248	18-FEB-2004	AMOUNT	DATE RECEIVED										
		760.00	18-Feb-04										

<p><b>1. NAME(S) OF LICENSEE(S) AND MAILING ADDRESS</b></p> <p>Lizann &amp; Jeff Fortin 4-10 Best Pets Rr 3 Box 45 Oberlin, KS 67749</p> <p>Telephone: (785)475-2908</p>	<p><b>2. ALL BUSINESS (Site) LOCATIONS HOUSING ANIMALS; INCLUDE DIRECTIONS TO EACH LOCATION (P.O. Box not acceptable)</b></p> <p>Rr 3 Box 45 Oberlin, KS 67749 County: Decatur Telephone:</p>
--	---

<p><b>3. LIST PERSONS 18 YEARS OF AGE OR OLDER AUTHORIZED TO CONDUCT BUSINESS. RESPONSIBLE OFFICIAL SIGNING BLOCK 10 SHOULD BE LISTED IN THIS BLOCK.</b></p>	<p><b>4. (A) PREVIOUS USDA LICENSE NUMBER (if any)</b></p> <p style="text-align: center;">--</p> <p><b>(B) ACTIVE USDA CERTIFICATE NUMBER IN WHICH YOU HAVE AN INTEREST:</b></p>
<p><b>5. TYPE OF LICENSE</b></p> <p><input type="checkbox"/> Class A - Breeder <input checked="" type="checkbox"/> Class B - Dealer <input type="checkbox"/> Class C - Exhibitor</p>	

<p><b>6. DATE OF LAST 12-MONTH BUSINESS YEAR (CALENDAR OR FISCAL)</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">FROM</th> <th style="width:50%;">TO</th> </tr> <tr> <td style="text-align: center;">01-JAN-2003</td> <td style="text-align: center;">31-DEC-2003</td> </tr> </table>	FROM	TO	01-JAN-2003	31-DEC-2003	<p><b>7. TYPE OF ORGANIZATION</b></p> <p><input checked="" type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Other (Specify) _____</p>
FROM	TO				
01-JAN-2003	31-DEC-2003				

<p><b>8. DEALERS ONLY. Class A or Class B licensees must complete this Block. (Class C Exhibitors go to Block 9)</b></p> <p>CLASS A (BREEDER) - LINE 'D' = 1/2 OF LINE 'C' CLASS B (DEALER) - LINE 'D' = LINE 'C' LESS THE AMOUNT PAID FOR THE ANIMAL(S) (Sections 2.6)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;">A. TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR</td> <td rowspan="4" style="width:33%; text-align: center; vertical-align: middle; background-color: #FFDAB9;">(b)(4)</td> <td style="width:33%;">B. TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR</td> </tr> <tr> <td>C. TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)</td> </tr> <tr> <td>D. DOLLAR AMOUNT ON WHICH FEE IS BASED (SECTIONS 2.6 AND 2.7)</td> </tr> <tr> <td></td> </tr> </table>	A. TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR	(b)(4)	B. TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR	C. TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)	D. DOLLAR AMOUNT ON WHICH FEE IS BASED (SECTIONS 2.6 AND 2.7)		<p><b>9. CLASS C EXHIBITORS ONLY. (Number of animals holding now or held during the last business year, whichever is greater.)</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:25%;">DOGS</td> <td style="width:25%;">NONHUMAN PRIMATES</td> <td style="width:25%;">RODENTS (Do not include lab rats or mice)</td> </tr> <tr> <td>CATS</td> <td>MARINE ANIMALS</td> <td>WILD/EXOTIC HOOFSTOCK</td> </tr> <tr> <td>GUINEA PIGS</td> <td>FARM ANIMALS</td> <td>BEARS</td> </tr> <tr> <td>HAMSTERS</td> <td>WILD/EXOTIC CANINES</td> <td>WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)</td> </tr> <tr> <td>RABBITS</td> <td>WILD/EXOTIC FELINES</td> <td>TOTAL (ALL ANIMALS LISTED IN BLOCK 9)</td> </tr> </table>	DOGS	NONHUMAN PRIMATES	RODENTS (Do not include lab rats or mice)	CATS	MARINE ANIMALS	WILD/EXOTIC HOOFSTOCK	GUINEA PIGS	FARM ANIMALS	BEARS	HAMSTERS	WILD/EXOTIC CANINES	WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)	RABBITS	WILD/EXOTIC FELINES	TOTAL (ALL ANIMALS LISTED IN BLOCK 9)
A. TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR	(b)(4)		B. TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR																			
C. TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)																						
D. DOLLAR AMOUNT ON WHICH FEE IS BASED (SECTIONS 2.6 AND 2.7)																						
DOGS	NONHUMAN PRIMATES	RODENTS (Do not include lab rats or mice)																				
CATS	MARINE ANIMALS	WILD/EXOTIC HOOFSTOCK																				
GUINEA PIGS	FARM ANIMALS	BEARS																				
HAMSTERS	WILD/EXOTIC CANINES	WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)																				
RABBITS	WILD/EXOTIC FELINES	TOTAL (ALL ANIMALS LISTED IN BLOCK 9)																				

**CERTIFICATION**

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and certify to the best of my knowledge I am in compliance with all the regulations and standards in 9 CFR, Subpart A, Parts 1, 2 and 3. I certify that I am 18 years of age or older.

<p><b>10. SIGNATURE</b></p> <p style="text-align: center;">(b)(6), (b)(7)c</p>	<p><b>11. PRINT NAME</b></p> <p style="text-align: center;">Lizann Fortin</p>	<p><b>12. SOCIAL SECURITY OR TAX IDENTIFICATION NUMBER</b></p> <p style="text-align: center;">(b)(6), (b)(7)c</p>	<p><b>13. DATE</b></p> <p style="text-align: center;">2-15-04</p>
--	---	---	---

COPY

December 15, 2003



Lizann & Jeff Fortin  
4-10 Best Pets  
Rr 3 Box 45  
Oberlin, KS 67749

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2004  
RE: LICENSE RENEWAL

United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

Dear Licensee:

This is to remind you that your U.S. Department of Agriculture (USDA) Animal Welfare Act (AWA) license is due for renewal on or before the above expiration date. This is the only renewal notice you will receive.

Please complete the enclosed application form, making any necessary corrections to the pre-printed information, and return it to the above address, along with the \$10.00 application fee and the appropriate license renewal fee. The annual fee is calculated by using the enclosed fee schedule. You may pay by cashier's check, certified check, personal check or money order made payable to the United States Department of Agriculture. You can also pay with a Visa or MasterCard, using the enclosed credit card authorization form. However, we cannot accept cash payments.

Please note that you must have an approved, complete, and up-to-date program of veterinary care on file at your place of business. You can obtain blank forms -- or any others you may need -- directly from this office or your USDA inspector. The AWA also requires that you report to us any changes in your name, address, location, management, control or ownership of your business via certified mail within 10 days after the change has occurred.

It is very important that you file your AWA license renewal application before the expiration date elapses -- any renewal notices received after that date will be considered invalid and returned. Accordingly, to continue to conduct AWA regulated business, it would be necessary for you to reapply and undergo the entire pre-licensing process. If your license expires and you continue to operate as a dealer or exhibitor, you will be in violation of the AWA and subject to legal action.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

cc: Faron A. Greenough, A. C. I.

Enclosures



APHIS - Protecting American Agriculture

An Equal Opportunity Employer

COPY



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Avenue  
Building B, 3W11  
Fort Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

February 21, 2003

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2004  
RE: ACKNOWLEDGEMENT OF RENEWAL

Lizann & Jeff Fortin  
4-10 Best Pets  
Rr 3 Box 45  
Oberlin, KS 67749

Dear Licensee:

Thank you for submitting your Animal Welfare Act (AWA) license renewal documents and applicable fees. Enclosed is a copy of the renewal form and a new certificate indicating that your AWA license has been renewed for another year.

As a reminder, you should file your application for renewal and pay your licensing fees on or before the expiration date each year. We will send you a renewal notice again next year about 60 days before the expiration date of your license. If you cease conducting regulated activities, you may cancel your license at any time by notifying us, in writing, that you wish to terminate your license.

The law also requires that you notify us, by certified mail, of any change in the name, address, location, management and control or ownership of your business within 10 days after such a change has occurred.

Please be advised that your facility records must be kept current and they are subject to review by APHIS Officials during compliance inspections. You may order record keeping forms from this office free of charge.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

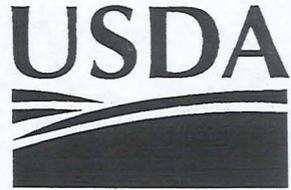
Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

cc: Faron A. Greenough, Aci

Enclosures





**United States  
Department of  
Agriculture**

**Marketing and  
Regulatory  
Programs**

**Animal and  
Plant Health  
Inspection  
Service**

**Animal Care**

**COPY** EXPIRATION DATE: FEBRUARY 18, 2004

This is to certify that

LIZANN & JEFF FORTIN

DBA: 4-10 BEST PETS

is a licensed

CLASS B DEALER

under the

## **Animal Welfare Act**

(7 U.S.C. 2131 et seq.)

Certificate No.

48-B-0225

Customer No.

4248

A handwritten signature in cursive script, reading "Charles A. Simpson". The signature is written in black ink and is positioned above a horizontal line.

Deputy Administrator

**U.S DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE**

**APPLICATION FOR LICENSE**  
(TYPE OR PRINT)

**LICENSE RENEWAL**

**DO NOT USE THIS SPACE - OFFICIAL USE ONLY**

SEND THE COMPLETED FORM TO: 2150 Centre Ave, Building B  
 WE-3-0028 DW Mailstop # 3w11  
 ER #738 760.00 Fort Collins, CO 80526 8117  
 Telephone: (970) 494-7478

CERTIFICATE / CUSTOMER NO.	RENEWAL DATE	FEES	
		AMOUNT	DATE RECE
CERT: 48-B-0225	18-FEB-2003	760.00	18-Feb-03
CUST: 4248			

**1. NAME(S) OF LICENSEE(S) AND MAILING ADDRESS**

Lizann & Jeff Fortin  
 4-10 Best Pets  
 Rr 3 Box 45  
 Oberlin, KS 67749

Telephone: (785)475-2908

**2. ALL BUSINESS (Site) LOCATIONS HOUSING ANIMALS; INCLUDE DIRECTIONS TO EACH LOCATION (P.O. Box not acceptable)**

Rr 3 Box 45  
 Oberlin, KS 67749  
 County: Decatur

Telephone:

**3. LIST PERSONS 18 YEARS OF AGE OR OLDER AUTHORIZED TO CONDUCT BUSINESS. RESPONSIBLE OFFICIAL SIGNING BLOCK 10 SHOULD BE LISTED IN THIS BLOCK.**

Jeff Fortin  
 Lizann Fortin

**4. (A) PREVIOUS USDA LICENSE NUMBER (if any)**

--

**(B) ACTIVE USDA CERTIFICATE NUMBER IN WHICH YOU HAVE AN INTEREST**

**5. TYPE OF LICENSE**

Class A - Breeder  Class B - Dealer  Class C - Exhibitor

**6. DATE OF LAST 12-MONTH BUSINESS YEAR (CALENDAR OR FISCAL)**

FROM	TO
01-JAN-2003	31-DEC-2003

**7. TYPE OF ORGANIZATION**

Individual  Corporation  Partnership  
 Other (Specify) \_\_\_\_\_

**8. DEALERS ONLY. Class A or Class B licensees must complete this Block. (Class C Exhibitors go to Block 9)**

CLASS A (BREEDER) - LINE 'D' = 1/2 OF LINE 'C'  
 CLASS B (DEALER) - LINE 'D' = LINE 'C' LESS THE AMOUNT PAID FOR THE ANIMAL(S)  
 (Sections 2.6)

A. TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR	(b)(4)
B. TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR	
C. TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)	
D. DOLLAR AMOUNT ON WHICH FEE IS BASED (SECTIONS 2.6 AND 2.7)	

**9. CLASS C EXHIBITORS ONLY. (Number of animals holding now or held during the last business year, whichever is greater.)**

DOGS	NONHUMAN PRIMATES	RODENTS (Do not include lab rats or mice)
CATS	MARINE ANIMALS	WILD/EXOTIC HOOFSTOCK
GUINEA PIGS	FARM ANIMALS	BEARS
HAMSTERS	WILD/EXOTIC CANINES	WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)
RABBITS	WILD/EXOTIC FELINES	TOTAL (ALL ANIMALS LISTED IN BLOCK 9)

**CERTIFICATION**

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is true and correct best of my knowledge. I hereby acknowledge receipt of and certify to the best of my knowledge I am in compliance with all the regulations and standards in 9 Subpart A, Parts 1, 2 and 3. I certify that I am 18 years of age or older.

**10. SIGNATURE**

(b)(6), (b)(7)c

**11. PRINT NAME**

Lizann Fortin

**12. SOCIAL SECURITY OR TAX IDENTIFICATION NUMBER**

(b)(6), (b)(7)c

**13. DATE**

FEB 18 2003

2-13-03



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Avenue  
Building B, 3W11  
Fort Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

**COPY**

December 16, 2002

Lizann & Jeff Fortin  
4-10 Best Pets  
Rr 3 Box 45  
Oberlin, KS 67749

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2003  
RE: LICENSE RENEWAL

Dear Licensee:

This is to remind you that your U.S. Department of Agriculture (USDA) Animal Welfare Act (AWA) license is due for renewal on or before the above expiration date. This is the only renewal notice you will receive.

Please complete the enclosed application form, making any necessary corrections to the pre-printed information, and return it to the above address, along with the \$10.00 application fee and the appropriate license renewal fee. The annual fee is calculated by using the enclosed fee schedule. You may pay by cashier's check, certified check, personal check or money order made payable to the United States Department of Agriculture. You can also pay with a Visa or MasterCard, using the enclosed credit card authorization form. However, we cannot accept cash payments.

Please note that you must have an approved, complete, and up-to-date program of veterinary care on file at your place of business. You can obtain blank forms -- or any others you may need -- directly from this office or your USDA inspector. The AWA also requires that you report to us any changes in your name, address, location, management, control or ownership of your business via certified mail within 10 days after the change has occurred.

It is very important that you file your AWA license renewal application before the expiration date elapses -- any renewal notices received after that date will be considered invalid and returned. Accordingly, to continue to conduct AWA regulated business, it would be necessary for you to reapply and undergo the entire pre-licensing process. If your license expires and you continue to operate as a dealer or exhibitor, you will be in violation of the AWA and subject to legal action.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

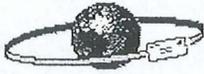
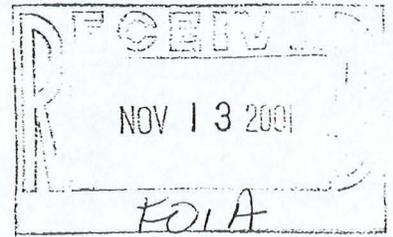
cc: Faron A. Greenough, Aci

Enclosures



0294

11-13-01  
12-12-01



nobody@www.aphis.usda.gov on 11/12/2001 12:53:41 AM

To: foia.officer@aphis.usda.gov  
cc:  
Subject: E-FOIA Request

AC- Refer to  
Region

An E-FOIA request has been made from the web. Here are the specifics:

Requested by: Shelley Ricci

Address  
Cheyenne

Phone:

(b)(6), (b)(7)c

Email:

Category of Information Requested: Animal\_Health

Requesting information from 1998 to 2001

Details of Request: I would like copies of the inspection reports for the past three years on 4-10 Best Pets owned by Lizann and Jeff Fortin. ID - 411, Cert - 48-B-0225, Cust - 4248, address - Rr 3 Box 45-Oberlin, KS 67749 Decatur County.

Thank you,  
Shelley Ricci

Requestor will pay fees totaling 25-99

JP

Public reporting burden for this collection of information is estimated to average 28 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Executive Office, OIRA, Room 404-W, Washington, D.C. 20260, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503

FORM APPROVED OMB NO. 0579-0038

No license may be issued unless a completed application has been received (7 U.S.C. 2132-2143) and the applicant is in compliance with the standards and regulations Section 2133.

**U.S DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE**

**APPLICATION FOR LICENSE  
(TYPE OR PRINT)**

**LICENSE RENEWAL**

**DO NOT USE THIS SPACE - OFFICIAL USE ONLY**

SEND THE COMPLETED FORM TO Po Box 915004  
Fort Worth, TX 76115 9104  
Telephone: (817) 865-6823

FEB 19 2002

CERTIFICATE / CUSTOMER NO.	RENEWAL DATE	FEES	
		AMOUNT	DATE RECEIVED
CERT: 48-B-0225	18-FEB-2002	760 <sup>00</sup>	25-FEB-02
CUST: 4248			

**1. NAME(S) OF LICENSEE(S) AND MAILING ADDRESS**

Lizann & Jeff Fortin  
4-10 Best Pets  
Rr 3 Box 45  
Oberlin, KS 67749

Telephone: (785)475-2908

**2. ALL BUSINESS (site) LOCATIONS HOUSING ANIMALS; INCLUDE DIRECTIONS TO EACH LOCATION (P.O. Box not acceptable)**

Rr 3 Box 45  
Oberlin, KS 67749  
County: Decatur

Telephone:

**3. LIST PERSONS 18 YEARS OF AGE OR OLDER AUTHORIZED TO CONDUCT BUSINESS. RESPONSIBLE OFFICIAL SIGNING BLOCK 10 SHOULD BE LISTED IN THIS BLOCK.**

Lizann Fortin  
Jeff Fortin

**4. (A) PREVIOUS USDA LICENSE NUMBER (if any)**

48 - A001

**(B) ACTIVE USDA CERTIFICATE NUMBER IN WHICH YOU HAVE AN INTEREST:**

48 B 0225

**5. TYPE OF LICENSE**

Class A - Breeder  Class B - Dealer  Class C - Exhibitor

**8. DATE OF LAST 12-MONTH BUSINESS YEAR (CALENDAR OR FISCAL)**

FROM	TO
01-JAN-2002	31-DEC-2002

**7. TYPE OF ORGANIZATION**

Individual  Corporation  Partnership  
 Other (Specify) \_\_\_\_\_

**8. DEALERS ONLY. Class A or Class B licensees must complete this Block. (Class C Exhibitors go to Block 9)**

CLASS A (BREEDER) - LINE 'D' = 1/2 OF LINE 'C'  
CLASS B (DEALER) - LINE 'D' = LINE 'C' LESS THE AMOUNT PAID FOR THE ANIMAL(S)

A. TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR	(b)(4)
B. TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR	
C. TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)	
D. DOLLAR AMOUNT ON WHICH FEE IS BASED (SECTIONS 2.6 AND 2.7)	

**9. CLASS C EXHIBITORS ONLY. (Number of animals holding now or held during the last business year, whichever is greater.)**

DOGS	NONHUMAN PRIMATES	RODENTS (Do not include lab rats or mice)
CATS	MARINE ANIMALS	WILD/EXOTIC HOOFSTOCK
GUINEA PIGS	FARM ANIMALS	BEARS
HAMSTERS	WILD/EXOTIC CANINES	WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)
RABBITS	WILD/EXOTIC FELINES	TOTAL (ALL ANIMALS LISTED IN BLOCK 9)

**CERTIFICATION**

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and certify to the best of my knowledge I am in compliance with all the regulations and standards in 9 CFR, Subpart A, Parts 1, 2 and 3. I certify that I am 18 years of age or older.

10. SIGNATURE  (b)(6), (b)(7)c	11. PRINT NAME  Lizann Fortin	12. SOCIAL SECURITY OR TAX IDENTIFICATION NUMBER  (b)(6), (b)(7)c	13. DATE  2-16-02
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Lizann & Jeff Fortin  
4-10 Best Pets  
Rr 3 Box 45  
Oberlin, KS 67749

February 25, 2002

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2003  
RE: ACKNOWLEDGEMENT OF RENEWAL

United States  
Department of  
Agriculture

Dear Licensee:

Marketing and  
Regulatory  
Programs

Thank you for submitting your Animal Welfare Act (AWA) license renewal documents and applicable fees. Enclosed is a copy of the renewal form and a new certificate indicating that your AWA license has been renewed for another year.

Animal and Plant  
Health Inspection  
Service

As a reminder, you should file your application for renewal and pay your licensing fees on or before the expiration date each year. We will send you a renewal notice again next year about 60 days before the expiration date of your license. If you cease conducting regulated activities, you may cancel your license at any time by notifying us, in writing, that you wish to terminate your license.

Animal Care  
Western Region  
PO Box 915004  
Ft. Worth, TX  
76115-9104

The law also requires that you notify us, by certified mail, of any change in the name, address, location, management and control or ownership of your business within 10 days after such a change has occurred.

Please be advised that your facility records must be kept current and they are subject to review by APHIS Officials during compliance inspections. You may order record keeping forms from this office free of charge.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 817-885-6923 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

*W. A. Christensen*  
Walter A. Christensen  
Regional Director - Animal Care  
Central Region

cc: Faron A. Greenough, Aci

Enclosures



Animal Care is a part of the Department of  
Agriculture's Animal and Plant Health Inspection Service.

An Equal Opportunity Provider and Employer



EXPIRATION DATE: FEBRUARY 18, 2003

United States  
Department of  
Agriculture

Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

Animal Care

This is to certify that

LIZANN & JEFF FORTIN  
DBA: 4-10 BEST PETS

is a licensed  
under the

CLASS B DEALER

## Animal Welfare Act

(7 U.S.C. 2131 et seq.)

Certificate No. 48-B-0225

Customer No. 4248

Deputy Administrator

No license may be issued unless a completed application has been received (7 U.S.C. 2133-2143), and the applicant is in compliance with the standards and regulations Section 2133.

U.S. DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

DO NOT USE  
SEND THE COMPLETED FORM TO:  
USDA, APHIS, AC  
CENTRAL REGION  
PO BOX 6258  
FORT WORTH TX 76115-6258

# APPLICATION FOR LICENSE

(TYPE OR PRINT)

NEW LICENSE

LICENSE NO.	RENEWAL DATE	FEES	
		AMOUNT	DATE RECEIVED
48-B-0225	18-Feb-01	\$130	18-Feb-00

1. NAME(S) OF OWNER(S) AND MAILING ADDRESS  
Jeff or Lizann Fortin  
Rt 3 Box 45  
Oberlin KS 67749  
COUNTY: Decatur TELEPHONE (785) 475-2908

2. ALL BUSINESS NAMES, LOCATIONS, AND ALL SITES HOUSING ANIMALS (P.O. Box not acceptable)  
4-10 Best Pets - Jeff & Lizann Fortin  
Rt 3 Box 45  
Oberlin KS 67749  
COUNTY: Decatur TELEPHONE (785) 475-2908

3. IF PREVIOUSLY LICENSED - NAME AND ADDRESS  
Beaver Creek Kennel  
Rt 3 Box 45  
Oberlin KS 67749  
PREVIOUS LICENSE NO.: 48A 1001

4. NAME AND ADDRESS OF OTHER BUSINESS(S) HANDLING ANIMALS IN WHICH APPLICANT/LICENSEE HAS AN INTEREST  
N/A

5. TYPE OF LICENSE  
 A - Dealer (Breeder)  B - Dealer  C - Exhibitor

6. DATE OF LAST BUSINESS YEAR

FROM			TO		
MO	DAY	YEAR	MO	DAY	YEAR
01	01	00	12	31	00

7. NATURE OF BUSINESS (Check item(s) that describe nature of your business)

A - Zoo  B - Aquariums  C - Auction  
 D - Breeder  E - Pets  F - Roadside Zoo  
 G - Circus  H - Animal Acts  I - Carnival  
 J - Drive thru Zoo  K - Pet Store  L - Broker

8. TYPE OF ORGANIZATION  
 Partnership  Corporation  Individual  
 Other (Specify)

9. LIST OWNERS, PARTNERS, AND OFFICERS

NAME AND TITLE	ADDRESS
Jeff Fortin - owner	Same as above
Lizann Fortin - owner	

10. DEALER ONLY		11. EXHIBITOR ONLY (No. of animals holding now or held during the last business year, whichever is greater)			
TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR	(b)(4)	DOGS		RABBITS	
TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR		CATS		NONHUMAN PRIMATES	
TOTAL GROSS AMOUNT DERIVED FROM THE SALE OF ANIMALS		GUINEA PIGS		MARINE MAMMALS	
DOLLAR AMOUNT ON WHICH FEE IS BASED (Sections 2.6 and 2.7)		HAMSTERS		WILD OR EXOTIC MAMMALS	
		OTHER (i.e., farm animals) (List Species and No.)			

CERTIFICATION

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is true and correct to the best of my knowledge. I hereby acknowledge receipt of and agree to comply with all the regulations and standards in 9 CFR, Subpart A, Parts 1, 2 and 3. I certify that I am over 18 years of age.

12. SIGNATURE (b)(6), (b)(7)c  
13. NAME AND TITLE (Type or Print) Lizann Fortin  
14. DATE



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

**COPY**

February 18, 2005

Lizann & Jeff Fortin  
4-10 Best Pets  
Rr 3 Box 45  
Oberlin, KS 67749

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2006  
RE: ACKNOWLEDGEMENT OF RENEWAL

Dear Licensee:

Thank you for submitting your Animal Welfare Act (AWA) license renewal documents and applicable fees. Enclosed is a copy of the renewal form and a new certificate indicating that your AWA license has been renewed for another year.

As a reminder, you should file your application for renewal and pay your licensing fees on or before the expiration date each year. We will send you a renewal notice again next year about 60 days before the expiration date of your license. If you cease conducting regulated activities, you may cancel your license at any time by notifying us, in writing, that you wish to terminate your license.

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We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

cc: Faron A. Greenough, A.C.I.

Enclosures



Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Programs

An Equal Opportunity Provider and Employer

**U.S. Postal Service  
CERTIFIED MAIL RECEIPT  
(Domestic Mail Only; No Insurance Coverage Provided)**

7001 1940 0006 7268 3772

OFFICIAL USE  
OBERLIN KS 67749

Postage	\$ 0.37	
Certified Fee	\$2.30	
Return Receipt Fee (Endorsement Required)	\$1.75	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 4.42	

Sent To Lizann Fortin  
 Street, Apt. No.; or PO Box No. RR 3 Box 45  
 City, State, ZIP+4 Oberlin Ks 67749

PS Form 3800, January 2001 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: 48-B-0225  
Lizann Fortin  
RR 3 Box 45  
Oberlin Ks 67749

2. Article Number (Transfer from service label) 7001 1940 0006 7268 3772

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
(b)(6), (b)(7)c

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes



USDA, APHIS, Animal Care

ANIMAL WELFARE COMPLAINT

Complaint No. <i>30 105</i>	Date Entered 7-15-2004	Received By Faron Greenough
Referred To	Reply Due	

Facility or Person Complaint Filed Against

Name Jeff & Lizann Fortin 4-10 Best Pets		Customer/License/Registration No. 48B0225	
Address Rt 3 Box 45			
City Oberlin	State KS	Zip 67749	Phone No 785-475-2908

Complainant

Name		Organization	
Address			
City	State	Zip	Phone No./Email address

How was complaint received?

**Details of Complaint:** A member of another USDA agency was hunting near this area and noticed the large kennel and had concerns of the odor from the this facility. I talked with my supervisor about waiting until the team inspections to do the complaint search. Myself, Jim Gauthier, and David Oelberg did an inspection at this facility on July 15-2004, as part of out team inspections.

**Results:** During the inspection there were several non-compliant items identified. The items were 2.50 (ID), 2.75 (records), 3.4 (adequate housing and shade), 3.6 (space requirements & bad wire flooring), 3.11 ( rodent control & drain pipes disconnected). The day we were there it was very hot and there was no odor at this facility. Even the areas around the disconnected drain pipes did not put of any excessive odor. At this time I don't see or smell odor being a problem at this facility.

Application packet provided? Yes  No

INSPECTOR  
Faron Greenough  
REVIEWED BY

DATE  
7-20-2004  
DATE

*Closed per team inspection  
15-Jul-04*

AUG - 9 2004



United States  
Department of  
Agriculture

Animal and Plant  
Health Inspection  
Service

Animal Care  
Western Region

2150 Centre Ave.  
Building B  
Mail Stop # 3W11  
Ft. Collins, CO 80526  
Phone: 970/494-7478  
Fax: 970/494-7461

**COPY**

December 13, 2004

Lizann & Jeff Fortin  
4-10 Best Pets  
Rr 3 Box 45  
Oberlin, KS 67749

Customer No: 4248  
Certificate No: 48-B-0225  
Renewal Date: 02/18/2005  
RE: LICENSE RENEWAL

Dear Licensee:

This is to remind you that your U.S. Department of Agriculture (USDA) Animal Welfare Act (AWA) license is due for renewal on or before the above expiration date. This is the only renewal notice you will receive.

Please complete the enclosed application form, making any necessary corrections to the pre-printed information, and return it to the above address, along with the appropriate license renewal fee. The annual fee is calculated by using the enclosed fee schedule. You may pay by cashier's check, certified check, personal check or money order made payable to the United States Department of Agriculture. You can also pay with a Visa or MasterCard, using the enclosed credit card authorization form. However, we cannot accept cash payments.

Please note that you must have an approved, complete, and up-to-date program of veterinary care form on file at your place of business. You can obtain blank forms -- or any others you may need -- directly from this office or your USDA inspector. The AWA also requires that you report to us any changes in your name, address, location, management, control or ownership of your business via certified mail within 10 days after the change has occurred.

It is very important that you file your AWA license renewal application before the expiration date elapses -- any renewal notices received after that date will be considered invalid and returned. Accordingly, to continue to conduct AWA regulated business, it would be necessary for you to reapply and undergo the entire pre-licensing process. If your license expires and you continue to operate as a dealer or exhibitor, you will be in violation of the AWA and subject to legal action.

We appreciate your efforts in complying with the Animal Welfare Act. Contact this office at 970-494-7472 if you have any questions regarding this letter or the Animal Welfare Act.

Sincerely,

Robert M. Gibbens  
Regional Director - Animal Care  
Western Region

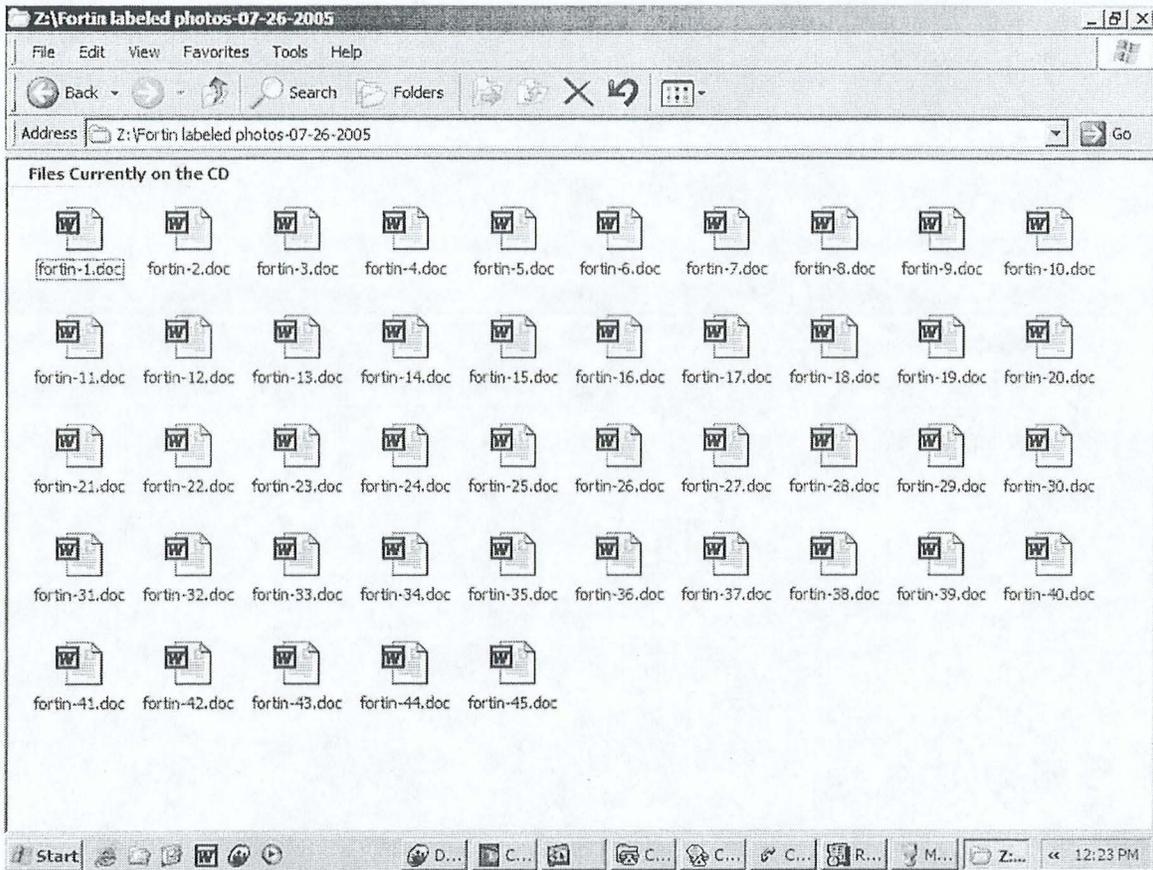
cc: Faron A. Greenough, A.C.I.

Enclosures



Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Programs

An Equal Opportunity Provider and Employer



Wednesday 11-12-03

I conducted a re-inspection of the Fortin facility on the above date with (b)(6), (b)(7)c (b)(6), (b)(7)c is a part-time college student in McCook Nebraska.

Most of the items listed from the 8-20-03 inspection were corrected. See the inspection report for more detailed information.

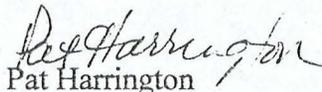
During my last inspection I did not notice an area of pens off to the left of the office building. These six pens contain large breed dogs such as bloodhounds, great danes, and great pyrenees. I did inspect them on this date.

(b)(6),(b)(7)c was concerned about not passing this inspection and asked how bad a facility had to be before the KAHD seized the dogs. I assured (b)(6),(b)(7)c that the process was lengthy and she did not need to be concerned in that matter. I did tell her that I realized that most of the deficiencies had been corrected from the last inspection but that the shelter issue was still lacking in requirements. I explained to (b)(6),(b)(7)c that the houses provided in the pens must allow all dogs normal postural movement and provide all dogs in the pens protection from extreme weather elements such as snow and rain. I pointed out to her that 3 extra large dogs, such as St. Bernards, Great Danes, or Pyrenees could not all comfortably get into only 2 large dogloo brand doghouses. At least one dog would possibly be out in the weather or at any rate, two dogs in one house would not allow normal postural movement. She agreed with me and said she understood my point.

(b)(6),(b)(7)c told me that she was not aware of the fence problem allowing the dogs heads to go through such as cattle paneling used for the pens. This affected the pens off to the left of the office building. She told me that they didn't like those pens and didn't use them unless necessary, which it is now because they acquired more dogs. I discussed with her that there would be shade requirements for the summer. Some of the new dogs that were not present during my last inspection were bought at the Tane Veers auction in McPherson county. New breeds I noticed were, bernese mountain dogs, bloodhounds and one wolf hybrid.

(b)(6),(b)(7)c also told me that the area of pens along the tree line by the roadway was new as of this summer. I discussed with her the options she had for wind/rain breaks for these doghouses.

I asked (b)(6),(b)(7)c if she was going to be in charge of the facility now as far as inspections go and she said yes. She told me that the best day for inspections is Thursday as she does not have any classes on Thursdays. She can be available Wed.-Friday if she knows ahead of time. Monday and Tuesdays are not good because those are days to get puppies vet checked and ready for transport.

  
Pat Harrington

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# Animal Breeder License

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*The Kansas Animal Health Department hereby Certifies that*

**Jeff Fortin**

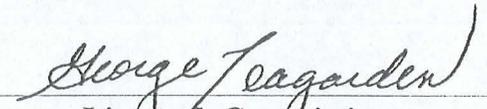
**Rt 3, Box 45 Oberlin, KS 67749**

*has the above address licensed as a Animal Breeder premise  
pursuant to K.S.A. 47-1701 et seq.*

Expires:  
June 30, 2006

License #:  
A-164-2006

Jeff Fortin  
Rt 3, Box 45  
Oberlin, KS 67749



Livestock Commissioner  
Dated at Topeka, KS: 7/1/2005

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# Animal Distributor License

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*The Kansas Animal Health Department hereby Certifies that*

**Jeff Fortin**

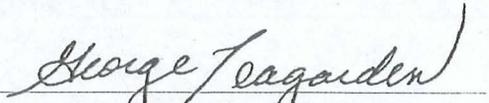
**Rt 3, Box 45 Oberlin, KS 67749**

*has the above address licensed as a Animal Distributor premise  
pursuant to K.S.A. 47-1701 et seq.*

Expires:  
June 30, 2006

License #:  
B-164-2006

Jeff Fortin  
Rt 3, Box 45  
Oberlin, KS 67749



Livestock Commissioner

Dated at Topeka, KS: 7/1/2005

STATE OF KANSAS

ANIMAL HEALTH DEPARTMENT

708 SW Jackson Topeka KS 66603
Phone (785) 296-2326 FAX (785) 296-1765
www.accesskansas.org/kaahd

CREDIT CARDS: DISCOVER

RENEWAL DUE BY: JUNE 30, 2004

Renewal Application (checked)
New Application

2004-2005 Application for Kansas Animal Breeder or Animal Distributor License

FEE MUST BE INCLUDED WITH APPLICATION

County: DeWitt
Are you applying for? Animal Breeder Animal Distributor Both (checked)
Premise Name: Beaver Creek Kennel
Owner/Operator/Manager Name: Lizann Fortun
Name of designated agent\* (18 or older): None
Mailing Address: Rt 3 Box 45 Oberlin KS 67449
Premise Address (NO PO BOX): Rt 3 Box 45 Oberlin KS 67449
Home Phone: 785-475-3139
Usual hours at premise between 7:00am-7:00pm Monday-Friday: 8am-11am Wednesday thru Friday
Phone where owner/operator may be contacted between 8 a.m. and 5 p.m. Monday - Friday: 785-475-3139
Phone where designated agent may be contacted between 8 a.m. and 5 p.m. Monday - Friday: 785-475-3139
Directions to premise: 1/2 miles N. of Oberlin on 83-2, west-2 miles south - left turn

USDA license # 48-B-0225 Effective date: (provide copy of USDA license)
Do you sell, offer or maintain for sale, dogs/cats at any other location other than the premise for which this application for a license is being made? NO If so, location:
Total Number of dogs/cats (over 3 months of age) presently on premise:

dogs: M F Spay/Neuter cats: M F Spay/Neuter

\*What brokers did you sell dogs/cats between July 1, 2003 to June 30, 2004? Use an extra page if necessary.
Name, address, license #: Self

\*What breeders did you buy dogs/cats from between July 1, 2003 to June 30, 2004? Use an extra page if necessary.
Name, address, license #:

\*Failure to supply this information is not grounds for license denial. This information is subject to public disclosure under the Kansas open records act.
Do you sell any dogs/cats at retail(to the general public)? If so, what percentage at retail? %
(Initial applicants) How many litters have you produced for sale, sold, offered or maintained for sale since July 1, 2004?
Have you or any of your employees ever been convicted of any crime relating to theft or cruelty to animals? If "yes", attach an explanation.
Are you a dog warden or animal control officer? NO (refer to K.S.A. 47-1701(k) for definition.)

Website address:
E-Mail address:

I understand that Kansas law permits a licensee to be inspected at least once a year and upon complaint if the premise is licensed by the USDA, and at least twice a year and upon complaint if the premise is not licensed by USDA. I hereby consent to inspections by the Kansas Animal Health Department. I understand that I may not sell more than 2 litters of animals until I have been granted a license. I understand that a willful disregard of any provision of the Kansas Pet Animal Act or of any regulations adopted thereunder may subject the licensee to suspension or revocation of the license and/or fine of up to \$1000 per violation and/or criminal penalties. I understand that a material misstatement in this application form may be grounds for denial, suspension or revocation of this license. The information contained within this application is true and correct to the best of my knowledge.

(b)(6),(b)(7)c
Signature of Owner or Authorized Representative Date 6-29-04

Social Security # Furnishing your social security number is voluntary. This request is pursuant to K.S.A. 74 -139. The information shall be used to provide your name, address and social security number to the director of taxation upon the director's request.

License year July 1, 2004 to June 30, 2005

Posted 7/15/04 Initials JL Amount Paid 156.00 Check # 2683 Voucher # 5001
License #: A 164 B 164 Inspector PH Received Date 7/1/04 Approved: (Yes) No

STATE OF KANSAS

ANIMAL HEALTH DEPARTMENT

708 SW Jackson  
Topeka, Kansas 66603-3714  
(785) 296-2326  
www.accesskansas.org/kahd

FEE - \$150 with copy of current  
USDA license  
RENEWAL DUE BY - June 30, 2003  
We accept Discover Card.  
Call for Information

Check all that apply:

- New Application
- Renewal Application
- Animal Breeder
- Distributor

2003 - 2004 Application for Kansas Animal Breeder or Distributor License

FEE MUST BE INCLUDED WITH APPLICATION

Premise Name, if applicable: Lizann Fortin 4-10 Best Pets

Is the above premise name registered with the Secretary of State's Office to do business in the State of Kansas under a corporation or company name? Yes  No

Owner/Operator Name: Lizann Fortin

Name of designated agent\* (18 or older): NONE

\* A designated agent is someone you will allow to show your kennel in your absence.

Licensee's Mailing Address: Rt 3 Box 45 City, State & Zip Code: Oberlin KS 67749

Premise Address (no PO Box) Same County, City & Zip \_\_\_\_\_

Phone where you may be contacted: 785-475-2908 Fax number: same

Usual Hours at premise between 7:00 a.m. to 7:00 p.m. Monday through Friday: 10:00 - 3:00

Phone where owner/operator may be contacted between 8 a.m. and 5 p.m. Monday - Friday: Same as above

Phone where designated agent may be contacted between 8 a.m. and 5 p.m. Monday - Friday: NA

Directions to premise: 11 mi N of Oberlin on Hwy 83 turn left 2mi road curves So 2 mi turn left at Y in road - turn right at first driveway

USDA license # 48B0225 Effective date: 2-18-02 (provide copy of USDA License)

Do you sell, offer or maintain for sale, dogs/cats at any other location other than the premise for which this application for a license is being made? NO If so, location: \_\_\_\_\_

Total number of dogs/cats (over 3 months of age) presently on premise:

dogs: M 169 F 436 Spay/Neuter \_\_\_\_\_ cats: M 0 F 0 Spay/Neuter 0

\* What brokers did you sell dogs/cats to between July 1, 2002 to June 30, 2003? Use an extra page if necessary. Name, address, license #: \_\_\_\_\_

\* What breeders did you buy dogs/cats from between July 1, 2002 to June 30, 2003? Use an extra page if necessary. Name, address, license #: \_\_\_\_\_

\* Failure to supply this information is not grounds for license denial. This information is subject to public disclosure under the Kansas open records act.

Do you sell any dogs/cats at retail (to the general public)? NO If so, what percentage at retail? \_\_\_\_\_ %

Have you or any of your employees ever been convicted of any crime relating to theft or cruelty to animals? NO If "yes", attach an explanation.

Are you a dog warden or animal control officer? NO (refer to K.S.A. 47-1701(k) for definition.)

Do you have a Website? NO If yes, address: \_\_\_\_\_

E-Mail address: \_\_\_\_\_

I understand that Kansas law permits a licensee to be inspected at least once a year and upon complaint if the premise is licensed by the USDA, and at least twice a year and upon complaint if the premise is not licensed by USDA. I hereby consent to inspections by the Kansas Animal Health Department.

I understand that I may not sell more than 2 litters of animals until I have been granted a license.

I understand that a willful disregard of any provision of the Kansas Pet Animal Act or of any regulations adopted thereunder may subject the licensee to suspension or revocation of the license and/or fine of up to \$1000 per violation and/or criminal penalties.

I understand that a material misstatement in this application form may be grounds for denial, suspension or revocation of this license.

The information contained within this application is true and correct to the best of my knowledge.

(b)(6),(b)(7)c

Signature of Owner or Authorized Representative

6-27-03  
Date

Furnishing your social security number is voluntary. This request is pursuant to K.S.A. 74 -139. The information shall be used to provide your name, address and social security number to the director of taxation upon the director's request.

License year July 1, 2003 to June 30, 2004 Social Security # \_\_\_\_\_

OFFICE USE ONLY  
Pested 4-2-03 Initials BSL Amount Paid 150.00 Check # 1020 Voucher # 3213  
License # A-164/B-164 Inspector PH Approved: Yes  No

State of Kansas  
Animal Breeder & Animal Distributor License

*This Is To Certify That*

**Lizann Fortin,  
Rt. 3, Box 45, Oberlin, KS 67749**

*Has the above address licensed as a Animal Breeder & Animal Distributor premise pursuant to K.S.A. 47-1701 et seq.*

**License No. A-164-04 & B-164-04**

*Presented by*

**KANSAS ANIMAL HEALTH DEPARTMENT**

This License Expires on  
**June 30, 2004**  
or  
upon expiration, revocation  
or suspension of USDA license.

*George Teagarden*

Commissioner George Teagarden

Dated at Topeka, KS: August 19, 2003



United States  
Department of  
Agriculture

January 25, 2006

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Mr. Jeff Fortin  
dba 4-10-Best Pets  
R 3 Box 45  
Oberlin, KS 67749

Dear Mr. Fortin:

This is in reference to our telephone conversation in which you agreed to a payment plan to settle the violation of Federal regulations.

We accept your offer to make partial payments of \$1,000 per month until the \$8,795 civil penalty is paid. Your payments will be due on the 15th day of each month beginning February 2006.

The certified check or money order should be made payable to the Treasurer of the United States and sent to:

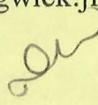
USDA, APHIS  
P. O. Box 979043  
St. Louis, MO 63197-9000

Please identify your check or money order with Case Number KS05033.

Sincerely,

15/ 1-25-06  
Janice L. Sedgwick  
Enforcement Specialist  
Investigative and Enforcement Services

cc: Program Official  
MRP-BS, Minneapolis, MN

APHIS:IES:JSedgwick;jls:734-8759:01/25/06  




Safeguarding American Agriculture  
APHIS is an agency of USDA's Marketing and Regulatory Program

An Equal Opportunity Provider and Employer



Ruth A  
McDermott/MD/APHIS/USDA

01/11/2006 11:26 AM

To Timothy R Fordahl/CO/APHIS/USDA, Robert M  
Gibbens/CO/APHIS/USDA, Connie R  
Morris/CO/APHIS/USDA, (b)(6).(b)(7)c S/APHIS/USDA,

cc

bcc

Subject KS05033-AC

The subject case has been sent a stip for \$8,795. Attached is a copy of the Settlement Agreement and Cover Letter. If you have any questions, please contact Janice Sedgwick, 301-734-8759. Thank you.



KS05033-AC Ltr J. Fortin.doc



ks05033.doc

Ruth Ann McDermott  
Case Examiner  
Investigative and Enforcement Services  
Riverdale, MD  
301-734-0575  
e-mail: Ruth.A.McDermott@aphis.usda.gov



JAN 11 2006

United States  
Department of  
Agriculture

Animal and  
Plant Health  
Inspection  
Service

Marketing &  
Regulatory  
Programs Business  
Services

4700 River Road  
Riverdale, MD  
20737

Jeff Fortin  
dba 4-10-Best Pets  
R 3 Box 45  
Oberlin, KS 67749

Dear Mr. Fortin:

Animal and Plant Health Inspection Service (APHIS) enforces regulations to protect the health and care of animals, plants, and agricultural industry. Violations of these regulations jeopardize the animal and plant health systems that are vital to protect American agriculture.

Our investigation shows that you have violated the United States Code of Federal Regulations as described on the enclosed Stipulation. APHIS laws and regulations provide for administrative and criminal penalties to enforce these regulatory requirements.

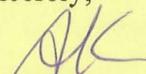
The Secretary of Agriculture may, after providing notice and opportunity for a hearing, impose civil penalties or other sanctions. You may, however, waive your right to a hearing and settle this matter by paying \$ 8,795 by February 13, 2006, and signing the enclosed Stipulation.

Please pay the \$8,795 penalty by certified check or money order made payable to the Treasurer of the United States. Write the Case Number (KS05033-AC) on your check or money order and mail it with the signed Stipulation to:

USDA, APHIS, (General) (KS05033-AC))  
P. O. Box 979043  
St. Louis, MO 63197-9000

If we do not receive your signed stipulation agreement and payment or notice that you wish to exercise your right to a hearing by February 13, 2006, this matter will be forwarded to the Department's Office of the General Counsel for litigation. The penalty offered in this Stipulation is not relevant to the sanctions APHIS may seek, or that will be assessed after issuance of a formal complaint. You may contact our office at telephone number (301) 734-8684 if you have any questions.

Sincerely,

  
Allison Khroustalev  
Assistant Director, Enforcement  
Investigative and Enforcement Services

Enclosure

Cc: T. Fordahl, IES, WR  
R. Walker, IES, KS

Dr. R. Gibbens, AC, WR

APHIS:IES:JSedgwick:ram:734-8759:01/10/06:KS05033-AC Ltr J. Fortin



*Safeguarding American Agriculture*  
APHIS is an agency of USDA's Marketing and Regulatory Program

An Equal Opportunity Provider and Employer

# Investigative and Enforcement Services

# Settlement Agreement

USDA, APHIS, IES  
4700 River Road, Unit 85  
Riverdale, MD 20737  
Phone: (301) 734-8684  
Fax: (301) 734-4328

**RESPONDENT:**  
Jeff Fortin  
dba 4-10-Best Pets  
R 3 Box 45  
Oberlin, KS 67749

**CASE NUMBER** | KS05033-AC  
**DUE ON OR BEFORE** | February 13, 2006  
**CONTACT** | Janice Sedgwick  
**PHONE** | 301-734-8759

DATE	CITATION	DESCRIPTION
(SEE ATTACHED PAGES)		

**PENALTY** \$8,795

**TERMS**

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

**Signature of Respondent:** \_\_\_\_\_ **Date:** \_\_\_\_\_

### PAYMENT RECORD - FOR IES USE ONLY

Payment Type	Date	Amount	Signature of IES Representative

<u>DATE</u>	<u>CITATION</u> 9 CFR	<u>DESCRIPTION</u>
01 AUG 02	2.126	<b>Access and inspection of records and property.</b> A responsible adult was not available to conduct an inspection.
01 OCT 02	3.1(a)	<b>Housing facilities, general.</b> The pens were in disrepair and not in condition to contain or protect the animals from injury.
	3.1(c)(1)(ii)	<b>Surfaces.</b> Failed to have enclosures free of sharp points and jagged edges.
	3.1(c)(3)	<b>Cleaning.</b> Failed to provide enclosures free of excreta.
	3.4(b)	<b>Shelter from the elements.</b> Failed to provide an adequate amount of housing to contain all the dogs at one time.
	3.4(b)(2)	Failed to provide shade for the dogs from the direct sun rays.
	3.4(b)(3)	Failed to provide wind and rain breaks on outdoor housing.
	3.4(c)	<b>Construction.</b> Failed to have surfaces impervious to moisture.
	3.11(a)	<b>Cleaning, sanitation, housekeeping, and pest control.</b> Failed to keep the facility free of excreta and food waste.
20 AUG 03	2.75(a)(1)	<b>Records: dealers and exhibitors.</b> Failed to maintain records in an orderly manner.
	3.1(a)	<b>Housing facilities, general.</b> The pens were in disrepair and not in condition to contain or protect the animals from injury.
	3.1(b)	<b>Condition and site.</b> Failed to keep the facility free of trash and clutter.
	3.1(c)(1)(i)	<b>Surfaces.</b> Failed to keep surfaces free from excessive rust.
	3.1(c)(3)	<b>Cleaning.</b> Failed to provide enclosures free of fecal material.
	3.4(b)	<b>Shelter from the elements.</b> Failed to provide an adequate amount of housing to contain all the dogs at one time.
	3.4(c)	<b>Construction.</b> Failed to have surfaces impervious to moisture.
	3.6(a)(2)(ii)	<b>Primary enclosures.</b> Failed to provide primary enclosures that protected the dogs' feet from injury.
	3.11(c)	<b>Cleaning, sanitation, housekeeping, and pest control.</b> Failed to keep pens and the kennel area free from weeds and grasses.
15 JUL 04	2.50(b)(3)	<b>Time and method of identification.</b> Failed to have proper identification on puppies to be sold.
	2.75(a)(1)	<b>Records.</b> Failed to have acquisition records filled out properly.

- 3.1(f) **Drainage and waste disposal.**  
Failed to provide proper waste disposal and drainage.
- 3.4(b) **Shelter from the elements.**  
Failed to provide an adequate amount of housing to contain all the dogs at one time.
- 3.4(b)(2) Failed to provide shade for the dogs from the direct sun rays.
- 3.6(a)(1) **Primary enclosures, general requirements.**  
Failed to provide enclosures that were structurally sound.
- 3.6(a)(2)(i) Failed to have primary enclosures that were free of sharp points and edges.
- 3.6(c)(1)(i) **Additional requirements for dogs.**  
Failed to provide a minimum amount of floor space.
- 3.11(d) **Cleaning, sanitation, housekeeping, and pest control.**  
Failed to have an effective program to control insects and external parasites.
- 25 AUG 04 3.4(b) **Shelter from the elements.**  
Failed to provide an adequate amount of housing to contain all the dogs at one time.
- 3.4(b)(2) Failed to provide shade for the dogs from the direct sun rays.
- 3.6(a)(1) **Primary enclosures, general requirements.**  
Failed to provide enclosures that were structurally sound.
- 26 JUL 05 2.40(b)(3) **Attending veterinarian and adequate veterinary care.**  
Failed to provide adequate veterinary care for a female dachshund that needed treatment.
- 3.1(a) **Housing facilities, general.**  
Failed to have pens constructed that protected the animals from injury.
- 3.1(f) **Drainage and waste disposal.**  
Failed to provide proper waste disposal and drainage.
- 3.4(b) **Shelter from the elements.**  
Failed to provide an adequate amount of housing to contain all the dogs at one time.
- 3.4(b)(3) Failed to provide wind and rain breaks on the entrances of the outdoor houses.
- 3.4(c) **Construction.**  
Failed to have outdoor pens free of holes and to have gravel added.
- 3.6(a)(1) **Primary enclosures, general requirements.**  
Failed to provide enclosures that were structurally sound.
- 3.6(a)(2)(x) Failed to have flooring constructed in a manner to protect the dogs' feet.
- 3.11(c) **Cleaning, sanitation, housekeeping, and pest control.**  
Failed to keep the outside pens and the kennel area free from weeds and grasses.



Robert M  
Gibbens/CO/APHIS/USDA  
01/10/2006 02:41 PM

To Janice L Sedgwick/MD/APHIS/USDA@USDA  
cc Faron.A.Greenough@aphis.usda.gov@USDA,  
Richard.H.Watkins@aphis.usda.gov@USDA  
bcc  
Subject Re: KS05033-AC Jeff Fortin dba 4-10-Best Pets 

I concur.

Robert M. Gibbens, DVM  
Director, Western Region  
USDA, APHIS, Animal Care  
2150 Centre Ave.  
Bldg B, MS 3W11  
Ft. Collins, CO 80526  
970/494-7478  
Janice L Sedgwick/MD/APHIS/USDA

*TO: DCT  
1-10-06  
JS*



Janice L  
Sedgwick/MD/APHIS/USDA  
01/10/2006 09:09 AM

To Robert M Gibbens/CO/APHIS/USDA@USDA  
cc  
Subject KS05033-AC Jeff Fortin dba 4-10-Best Pets

We have reviewed the subject case and will be issuing a stipulation in the amount of \$8,795. If you are aware of any aggravating or mitigating factors we have not already considered in our decision, please let me know by Jan 24. If we do not hear from you, we will proceed with our planned enforcement action.

Settlement agreement and penalty worksheets are attached.



ks05033.doc



ks05033-1.xls



ks05033-2.xls

Janice L. Sedgwick  
USDA APHIS IES  
4700 River Road, Unit 85  
Riverdale, MD 20737

e-mail: janice.l.sedgwick@aphis.usda.gov  
Tel: 301-734-8759  
Fax: 301-734-4328

\*\*Please be advised that the information contained in this e-mail and the attachments involves an open case. This material is for official use only and should not be released outside the agency or duplicated without prior clearance from Investigative and Enforcement Services.

Pages 37 through 38 redacted for the following reasons:

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(b)(2)High



United States  
Department of  
Agriculture

Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

Investigative and  
Enforcement Services

2150 Centre Ave.,  
Bldg. B-3W10  
Fort Collins, CO  
80526-8116

970/494-7485  
970/494-7487 (fax)

# Memorandum

*TO Dr. Gibbens*

FROM: (b)(6),(b)(7)c

DATE: 12/20/2005

SUBJECT: Jeff Fortin

Dr. Gibbens,

Enclosed is a case report for case KS05033-AC concerning, Jeff Fortin DBA 4-10 Best Pets. The investigation documents Jeff Fortin allegedly violated the 9 CFR parts 2 & 3. You will see in the investigation report on the inspection report dated 7/26/2005 2.40(a)(1) Attending Veterinary Care was left out due the statement by (b)(6),(b)(7)c stating he was at the facility every 2 to 3 weeks. You will see in the case report Lizann Fortin was left out due to a divorce. Jeff Fortin takes all the responsibility of the kennels non compliant items that were documented during the Animal Care inspections.

A member of the IES staff in Riverdale, MD will be contacting you in the future for your recommendations concerning penalties for the violators. If you have any questions concerning this case report, please contact me at your earliest convenience.

For future updates, the IES staff will contact:

Dr. Robert Gibbens – AC -Regional Director – Fort Collins, CO.

Dr. Ray Flynn – AC –Assistant Director – Fort Collins, CO.

Tim Fordahl – IES – Regional Director – Fort Collins, CO.

Jackie Freeman – IES – Field Supervisor – Fort Collins, CO.

Dr. Richard Watkins - AC- Field Supervisor- Fort Collins, CO.

Faron Greenough - AC inspector.

(b)(6),(b)(7)c

*USDA/APHIS/IES*

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
INVESTIGATIVE AND ENFORCEMENT SERVICES  
WESTERN REGION  
FORT COLLINS, CO

REPORT OF INVESTIGATION

Violator(s): **Jeff Fortin**  
**DBA 4-10-Best Pets**  
R 3 Box 45  
Oberlin KS. 67749  
(b)(6),(b)(7)c  
(785) 475- 7187

Case Number: KS05033-AC

Violation(s): 9 CFR 2&3

Investigator: (b)(6),(b)(7)c  
USDA ,APHIS,IES  
2150 Centre AVE.  
Building B -3W10  
Fort Collins, Co. 80524

(b)(6),(b)(7)c

Date of Report: December 20, 2005

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outside your agency, nor duplicated, without prior consent  
from USDA, APHIS, Investigative and Enforcement Services.

**SYNOPSIS****Violator**

**Information:** Jeff Fortin owns and operates 4-10-Best Pets Kennel a commercial dog breeding kennel and a Pet distributor of puppies. Jeff Fortin is licensed with the USDA as a class B Dealer (48-B-0225) and is licensed with the State of Kansas (B-164-2006). Jeff Fortin has been licensed with the USDA for 14 years. Jeff Fortin has approximately 800 breeding age dogs at this time. Jeff Fortin was in business with Lizann Fortin until October of 2004 .

**Previous**

**History:** A review of the IES Tracking System disclosed no previous USDA APHIS violations by the named alleged violator.

**Violation**

**Events:** The investigation documents Jeff Fortin knowingly violated numerous sections of the 9CFR. Parts 2&3. These violations were documented during USDA – Animal Care inspections and included deficiencies of: Veterinary Care, Access and Inspection of Records and Property, Records, Identification of animals, Housing facilities, Surfaces, Drainage, Waste Disposal, Shelter from Elements, Surfaces, Primary enclosures, Outdoor Housing, Cleaning and Sanitation.

**EXPLANATION OF THE EVIDENCE**

9 CFR  
2.126

**August 01, 2002**

Access and Inspection of Records and Property

Jeff Fortin failed to be available to conduct an inspection during designated hours of inspection as evidenced by:

**Exhibit 1** - Animal Care Inspection report states on Thursday August 1, 2002 I was at your facility to conduct a inspection and there was not a qualified individual present.

**Exhibit 2** - Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

**October 01, 2002**

3.1(a)

Housing Facilities, General

Jeff Fortin failed to have pens constructed that contained the animals and protected the animals from injury as evidenced by:

**Exhibit 3**- Animal Care Inspection Report states :

1. Door frame on pen #2 on the West side of refer building, is starting to pull away from the wall.
2. Pen #3 east side of Green building has a cloth shade that has fallen into the pen and could possibly allow the dogs to get injured.
3. Pen #5 on the West side of the Sundowner building has a hole in the top of the wire on the outside portion of the run.
4. Pen #3 East side of the Whelping building has small wire attached to the divider panel, that has become torn and pen #3 on the west side has divider paneling that has been bent and is in disrepair.
5. The divider panel between #4 and 5 of the outdoor kennels has become bent and in disrepair.
6. Pen #4 east of barn has shade support that is weak and starting to collapse.
7. The Pyrenees pen needs to have the northeast corner fenced off to keep the dogs from climbing on the barn roof.

**Exhibit 2** - Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1(c)(1)(ii)

Surfaces

Jeff Fortin failed to have enclosures free of sharp points and jagged edges as evidenced by:

**Exhibit 3**- Animal Care Inspection Report states pen #8 in the outdoor kennels has a fixed shade that has become bent and broken.

**Exhibit 2** - Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1( c)(3)

Housing Facilities General

Jeff Fortin failed to provide pens that were free of excreta as evidenced by:  
**Exhibit 3-** Animal Care Inspection Report states all the outdoor runs are in need of being cleaned of excreta.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.4 (b)

Outdoor Housing Facilities

Jeff Fortin failed to provide outdoor housing and enough housing to contain all the dogs at one time as evidenced by:

**Exhibit 3-** Animal Care Inspection Report states:

1. At the time of inspection there was no housing in four east barn pens.
2. Pen #1 housing three dogs did not have enough housing to contain all of the dogs at one time.
3. Pen #7 in the garage kennel housing four dogs does not have enough housing to contain all the dogs at one time.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.4 (b)(2)

Outdoor Housing Facilities

Jeff Fortin failed to provide shade for the dogs from the direct sun rays as evidenced by:

**Exhibit 3-** Animal Care Inspection Report states pen #45 in the Outdoor facility and the pens in the New Jack building needs to have shade added to protect the dogs from the direct sun.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.4(b)(3)

Shelter from the Elements

Jeff Fortin failed to provide wind and rain breaks on outdoor housing as evidenced by:

**Exhibit 3-** Animal Care Inspection Report states pens 17 thru 20 and pen 27 of the out door facility and pens 1 thru 5 on the east side of the garage needs to have a wind and rain breaks provided on the entrances.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.4 ( c)

Construction

Jeff Fortin failed to have surfaces impervious to moisture as evidenced by:

**Exhibit 3-** Animal Care Inspection Report states the wood door frames around the dog doors in the 2 replacement pens and the insides of the houses in the Jack building pens 1,2 and 3 need to be made impervious to moisture. There are at least 25 pens that need to have dirt or sand added to the pens to keep the dogs from coming in contact with the panels.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.11(a)

Cleaning, Sanitation, Housekeeping and Pest Control

Jeff Fortin failed to keep the facility free of excreta and food waste as evidenced by:

**Exhibit 3**- Animal Care Inspection Report states the ground under the wash downs on both sides of the Sundowner building are in need of being cleaned. All of the ground runs are in need of being cleaned of excreta.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

**August 20, 2003**

2.75(a)(1)

Records: Dealers and Exhibitors

Jeff Fortin failed to maintain records in an orderly manner as evidenced by:

**Exhibit 4** - Animal Care Inspection Report states the Records of Dogs on Hand are in need of being updated. These records showed a lot of entries that did not have all the information required.

**Exhibit 5** - Affidavit of Faron Greenough dated 12/ 13/2005 states I would estimate 60 percent of the entries were not complete and correct.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1(a)

Housing Facilities, General

Jeff Fortin failed to have pens constructed so they contained the animals and protected them from injury as evidenced by:

**Exhibit 4** - Animal Care Inspection Report states there are 5 pens with wire fence liners and 13 doors and door ways in need of being repaired.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1(b)

Condition and Site

Jeff Fortin failed to keep the facility free of trash and clutter as evidenced by:

**Exhibit 4** - Animal Care Inspection Report states in pen #4 there was accumulation of debris, of broken boards and metal.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1(c)(1)(i)

Surfaces

Jeff Fortin failed to keep surfaces free from excessive rust as evidenced by:

**Exhibit 4** - Animal Care Inspection Report states in pen #7 in the Outback pen has a dog house that was rusting on the walls of the house.

- Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.1( c) (3) Cleaning  
Jeff Fortin failed to provide enclosures that are free of fecal material as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 4 pens in the Outback pens that had excessive accumulation of feces.
- Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4(b) Shelter from the elements  
Jeff Fortin failed to provide enough outdoor housing to contain all the dogs at one time as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 13 pens that did not have enough housing to contain all the dogs at one time.
- Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4( c) Construction  
Jeff Fortin failed to have surfaces impervious to moisture as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 13 pens that were in need of having the holes filled in with gravel.
- Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.6( a) (2)(ii) Primary Enclosures  
Jeff Fortin failed to provide primary enclosures that protected the dogs feet from injury as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 3 pens in Lewis building in need of having the wire flooring repaired.
- Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.11(c) Cleaning, Sanitation, Housekeeping and Pest Control  
Jeff Fortin failed to keep pens and the kennel area free from weeds and grasses as evidenced by:  
**Exhibit 4** - Animal Care Inspection Report states there were 7 pens in the Eastside pens that are in need of having the weeds controlled, the weeds were 2 to 3 feet tall.
- Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

July 15, 2004

2.50(b)(3)

Time and Method of Identification

Jeff Fortin failed to have proper identification on puppies to be sold as evidenced by:

**Exhibit 6** - Animal Care Inspection Report states when reviewing records there were several puppies listed as no collars on the disposition papers.

**Exhibit 5** - Affidavit of Faron Greenough dated 12/13/2005 states after reviewing this inspection report dated July 15, 2004 with (b)(6),(b)(7)c this non compliant item should have been listed as 2.50(b)(3) instead of 2.50(a) (1). I miss quoted the regulation on this inspection report.

**Exhibit 2** - Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

2.75(a)(1)

Records

Jeff Fortin failed to have acquisition records fill out properly as evidenced by:

**Exhibit 6** - Animal Care Inspection Report states at time of inspection the 7005 disposition papers were not fill out correct.

**Exhibit 2** - Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.1(f)

Drainage and Waste Disposal

Jeff Fortin failed to provide proper waste disposal and drainage as evidenced by:

**Exhibit 6** - Animal Care Inspection Report states there were 3 drain pipes that had fallen off of there connections and was letting the waste and water pool on the ground.

**Exhibit 5** - Affidavit of Faron Greenough dated 12/ 13/ 2005 states after reviewing this inspection report dated July 15, 2004 with (b)(6),(b)(7)c this non compliant item should have been listed as 3.1 (f) instead of 3.11( c).

**Exhibit 2** - Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

3.4 (b)

Shelter from the elements

Jeff Fortin failed to provide enough outdoor housing to contain all the dogs at one time as evidenced by:

**Exhibit 6** - Animal Care Inspection Report states there were 2 pens that did not have enough housing provided, so all dogs can get into at the same time.

**Exhibit 2** - Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

- 3.4(b) Outdoor Housing Facilities  
Jeff Fortin failed to provide shade for the dogs from the direct sun rays as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states there were several pens that needed to have shade added.  
**Exhibit 5**- Affidavit of Faron Greenough dated 12/ 13/ 2005 states there were approximately 16 pens in need of shade.
- 3.6(a)(1) Primary Enclosures  
Jeff Fortin failed to provide enclosures that were structurally sound as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states there were several pens that had broken wires in the floors, and divider panels.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.6(a)(2)(i) Primary Enclosures  
Jeff Fortin failed to have primary enclosures that were free of sharp points and edges as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states the mesh wire flooring in the Lewis building was bent and broken. The flooring had sharp points and edges.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.6( c)(1)(i) Additional requirements for dogs  
Jeff Fortin failed to provide a minimum amount of floor space as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states at the time of inspection there were three enclosures that did not have enough minimum floor space.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.11(d) Cleaning, Sanitation, Housekeeping and Pest Control  
Jeff Fortin failed to have an effective program to control insects and external parasites as evidenced by:  
**Exhibit 6** - Animal Care Inspection Report states inside the Lewis building there was a accumulation of rodent feces.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

**August 25, 2004**

- 3.4 (b)            Shelter from the elements  
 Jeff Fortin failed to provide enough outdoor housing to contain all the dogs at one time as evidenced by:  
**Exhibit 7** - Animal Care Inspection Report states there were several dogs in pens #9 in Outback kennels and #4 in the Windbreak pens that did not have enough housing for the dogs.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.4(b)(2)        Outdoor Housing Facilities  
 Jeff Fortin failed to provide shade for the dogs from the direct sun rays as evidenced by:  
**Exhibit 7** - Animal Care Inspection Report states there were several pens that needed to have shade added.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.
- 3.6(a)(1)        Primary Enclosures  
 Jeff Fortin failed to provide enclosures that were structurally sound as evidenced by:  
**Exhibit 7** - Animal Care Inspection Report states there were 5 pens with broken wire in the floors and broken wire in the divider panels.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

**July 26, 2005**

- 2.40(b)(3)        Attending Veterinarian and Adequate Veterinary Care  
 Jeff Fortin failed to provide adequate veterinary care for the animals as evidenced by:  
**Exhibit 8** - Animal Care Inspection Report states the dachshund female needs to be seen by the attending veterinarian.  
**Exhibit 9** - Statement from (b)(6),(b)(7)c stating he had no records or recollection of this dog.  
**Exhibit 10** - Photographs taken by Faron Greenough showing the poor condition of the dog.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we had bought the Dachshund female the day before this inspection.

- 3.1(a) Housing Facilities, General  
Jeff Fortin failed to have pens constructed that protected the animals from injury as evidenced by:  
**Exhibit 8** - Animal Care Inspection Report states there are dog houses in several pens that needs to be repaired and shade structures that need to be secured to keep them structurally sound.  
**Exhibit 11**- Photographs taken by Faron Greenough showing the structure condition's of the outdoor facility.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states these non compliant items has been correct since this inspection.
- 3.1(f) Drainage and Waste Disposal  
Jeff Fortin failed to provide proper waste disposal and drainage as evidenced by:  
**Exhibit 8** - Animal Care Inspection Report states the outside and inside wash downs are leaking around the down spouts and letting the waste leak into the bottom pens. There are 4 pens in the Outback pens that had standing water in them.  
**Exhibit 12** - Photographs taken by Faron Greenough showing pens with drainage problems and leaking drainage pipes on the Sundowner building.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have replaced all the wash downs on this building and have repaired the drainage on the outside of the buildings.
- 3.4 (b) Shelter from the elements  
Jeff Fortin to provide enough outdoor housing to contain all the dogs at one time as evidenced by:  
**Exhibit 8** - Animal Care Inspection Report states there are 11 pens that need to have additional housing added.  
**Exhibit 13** - Photographs taken by Faron Greenough showing dogs with no access to a dog house and additional housing is needed in the outdoor pens.  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we moved dogs and added houses at the time of the inspection.
- 3.4(b)(3) Shelter from the Elements  
Jeff Fortin failed to provide wind and rain breaks on the entrances of the outdoor houses as evidenced by:  
**Exhibit 8**- Animal Care Inspection Report states the Hutch kennels and Outback kennels need to have wind and rain breaks on the entrances .  
**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have added wind and rain breaks to these hutches.
- 3.4( c) Construction  
Jeff Fortin failed to have outdoor pens free of holes and need to have gravel added as evidenced by:  
**Exhibit 8**- Animal Care Inspection Report states there are numerous pens that need to have the holes filled in and having additional flooring material or gravel installed

**Exhibit 14** - Photographs taken by Faron Greenough showing large holes that need to be filled, maintained and gravel added to the pens.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have filled in the holes and have put down flooring so the dogs can not dig under the shades.

3.6(a)(1)

Primary Enclosures

Jeff Fortin failed to provide enclosures that were structurally sound as evidenced by:

**Exhibit 8** - Animal Care Inspection Report states the expanded metal in the refer building needs to have the holes repaired or replaced.

**Exhibit 15** - Photographs taken by Faron Greenough showing gaps and broken expanded metal flooring.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have repaired the flooring.

3.6(a)(2)(x)

Primary Enclosures

Jeff Fortin failed to have flooring constructed in a manner to protect the dogs' feet as evidenced by:

**Exhibit 8** - Animal Care Inspection Report states the mesh wire flooring was too large for 2 litters of puppies, it was letting their feet pass through the flooring.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have replaced these pens.

3.11(c)

Cleaning, Sanitation, Housekeeping and Pest Control

Jeff Fortin failed to keep the outside pens and the kennel area free from weeds and grasses as evidenced by:

**Exhibit 8** - Animal Care Inspection Report states the area around the Outback kennel and East pens needs to have the weeds trimmed. The area around the old Sundowner building needs to have the waste material removed.

**Exhibit 16** - Photographs taken by Faron Greenough showing weeds in and around the pens.

**Exhibit 2** – Affidavit of Jeff Fortin dated November 15, 2005 states we have removed the weeds and removed the waste around the buildings.

**OTHER EVIDENCE**

- Exhibit 17** - Copy of State of Kansas inspection reports dated 12-11-2002, 8-20-03, 11-12-03, 8-19-04 and 7-26-05 showing noncompliant items at the Jeff Fortin facility.
- Exhibit 18** - Copy of 2005-2006 Application for Kansas Animal Breeder & Animal Distributor License showing Jeff Fortin is the owner.
- Exhibit 19** - State of Kansas Animal Breeder & Animal Distributor License showing A-164-05 & B164-5 was issued to Lizann Fortin
- Exhibit 20** - Copy of Animal Care Inspection Reports dated November 12, 2002, September 19, 2003 and 08/2004 showing no non compliant items on these inspections.
- Exhibit 21** - Copy of APHIS Form 7003 dated 2-11-2005 showing Jeff Fortin did make application for license.
- Exhibit 22** - Copy of USDA APHIS AC license certificate, documents that the license 48-B- 0225 was issued to Lizann & Jeff Fortin.

**EXHIBIT LIST**

- Exhibit 1** - Animal Care Inspection report
- Exhibit 2** - Affidavit of Jeff Fortin dated November 15, 2005
- Exhibit 3**- Animal Care Inspection Report
- Exhibit 4** - Animal Care Inspection Report
- Exhibit 5** - Affidavit of Faron Greenough dated 12/ 13/2005
- Exhibit 6** - Animal Care Inspection Report
- Exhibit 7** - Animal Care Inspection Report
- Exhibit 8** - Animal Care Inspection Report
- Exhibit 9** - Statement from (b)(6),(b)(7)c
- Exhibit 10** - Photographs taken by Faron Greenough
- Exhibit 11**- Photographs taken by Faron Greenough
- Exhibit 12** - Photographs taken by Faron Greenough
- Exhibit 13** - Photographs taken by Faron Greenough
- Exhibit 14** - Photographs taken by Faron Greenough
- Exhibit 15** - Photographs taken by Faron Greenough
- Exhibit 16** - Photographs taken by Faron Greenough
- Exhibit 17** -Copy of State of Kansas inspection reports
- Exhibit 18** - Copy of 2005-2006 Application for Kansas Animal Breeder & Animal Distributor License
- Exhibit 19** - State of Kansas Animal Breeder & Animal Distributor License
- Exhibit 20**- Copy of Animal Care Inspection Reports dated November 12, 2002 September, June 19,2003 and 08/2004
- Exhibit 21** - Copy of APHIS Form 7003 dated 2-11-2005
- Exhibit 22** - Copy of USDA APHIS AC license certificate

**WITNESS LIST**

**Faron Greenough (inspector)  
USDA-APHIS –AC  
2150 Centre AVE.  
Building B – 3W10  
Fort Collins Co. 80526  
(970-494-7467)**

**Patty Herington (Inspector )  
KAHD  
708 South Jackson  
Topeka KS. 66603  
(785-296-2326)**

(b)(6),(b)(7)c

**Attending Veterinarian)**

**R3 Box 2  
Oberlin KS. 67749**

(b)(6),(b)(7)c



**INSPECTION REPORT**

**LIZANN & JEFF FORTIN**  
4-10 BEST PETS

**Customer ID:** 4248  
**Certificate:** 48-B-0225

RR 3 BOX 45  
OBERLIN, KS 67749

**Site:** 001

**Inspection**  
**Type:** ATTEMPTED INSPECTION  
**Date:** AUG-01-2002

**2.126**

**ACCESS AND INSPECTION OF RECORDS AND PROPERTY.**

Sec. 2.126(a) Access and inspection of records and property. Each dealer, exhibitor, intermediate handler, or carrier, shall, during business hours, allow APHIS officials To enter its place of business.

\* On Thursday August 1, 2002, at 12:00 noon I was at your facility to conduct an inspection, however; there was not a qualified individual present to accompany me on the inspection. Please contact me to let me know the hours that you are typically available for inspection. Or to let me know if you wish to make one of your employees available to conduct inspections with me.

End of report.

*Voice mail 708-817-7034*

**Prepared By:**

*Faron Greenough*  
FARON GREENOUGH, ACI, USDA, APHIS, Animal Care

**Title:** ANIMAL CARE INSPECTOR , Inspector ID: 4051

**Date:**

AUG-01-2002

**Received By:**

*Cert Mail 7001 1940 0006 7263 3772*  
LIZANN FORTIN

**Title:** OWNER

**Date:**

AUG-01-2002



AFFIDAVIT

I, Jeff Fortin being duly sworn on oath make the following statement I am making this statement on my own free will.

I give this statement voluntarily. I am the owner of 4-10 Best Pets. 4-10 Best Pets is a distributor of puppies. We purchase puppies from USDA licensed breeders and from hobby breeders and then sell the puppies to pet stores across the United States. We also raise puppies to sell to our Pet stores at our facility that is located at Rt. 3 Box 45, Oberlin KS. 67749. Our phone number is 785-475-7187. My (b)(6),(b)(7)c We have had a USDA license for 14 years. Our license number is 48-B-0225. We are licensed with the State of Kansas. I am making this statement to (b)(6),(b)(7)c who has identified himself as an investigator with the Investigative and Enforcement Services of the United States Department of Agriculture. I understand that USDA -APHIS-Animal Care has requested (b)(6),(b)(7)c to conduct a investigation into the non-compliant items that were documented at our facility during inspections conducted by Animal Care on 8/01/2002, 10/01/02, 8/20/2003, 7/15/04, 8/25/04, and 7/26/05.

(b)(6),(b)(7)c has asked me to discuss the noncompliant items that were documented at our facility by Animal Care on these dates.

On the inspection dates of 8/01/2002, 10/01/02, 8/20/2003, 7/15/04 and 8/25/04 my ex-wife and I were in business together and she took care of all the dogs at the breeding facility. I know these non compliant items were corrected at the time of inspection. I own a Pet store in Colorado and was not at the breeding facility very much. I knew we had been written up by Animal Care in the past, but didn't realize it was a big problem.

(b)(6),(b)(7)c  
SIGNATURE OF AFFIANT

Subscribed and sworn to before me, at the on this 15 day of, November, 2005

APHIS FORM 7162. eplaces VS Form 3-59G which is obsolete.

(NOV 92)

(b)(6),(b)(7)c

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS, AUTHORITY NO (b)(6),(b)(7)c



AFFIDAVIT

I, Jeff Fortin being duly sworn on oath make the following statement I am making this statement on my own free will.

Inspection of July 26, 2005

2.40(a)(1) Attending Veterinarian and Veterinary Care

In regards to our Attending Veterinarian doing a yearly visit. Our Veterinarian is at the facility every two weeks and I overlooked having him sign the Program of Veterinary Care.

2.40 (b) (3) Adequate veterinary care

1. In regards to the Dachshund in need of veterinary care. We had bought the Dachshund female the day before the inspection and had not had time to have the Veterinarian look at the female.

3.1(a) Structure and Construction

In regards to the dog houses that need repaired and the shade structures as noted on the inspection report. These non-compliant items has been corrected since this inspection.

3.1(f) Drainage

In regards to the wash downs on the inside and outside of the buildings drainage is in need of repair as noted on the inspection report. We have replaced all the wash down on the inside of this building and repaired the drainage on the outside of the buildings.

In regards to the outside pens having standing water puddles in them.

3.4(b) Shelter from the elements

In regards to the pens needing additional and adequate housing added as noted on the inspection report. We moved dogs and added houses at the time of the inspection.

(b)(6),(b)(7)c  
SIGNATURE OF AFFIANT

Subscribed and sworn to before me, at the on this 15 day of, November, 2005

APHIS FORM 7162. eplaces VS Form 3-59G which is obsolete.

(NOV 92)

(b)(6),(b)(7)c

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS, AUTHORITY NO 3326



**AFFIDAVIT**

I, Jeff Fortin being duly sworn on oath make the following statement I am making this statement on my own free will.

**3.4(b) (3) Shelter from the elements**

In regards to the hutch pens needing rain and wind breaks. We have added wind and rain breaks to these hutches.

**3.4 ( c) Outdoor housing facility**

In regards to the pens listed on the inspection report needing the holes filled. We have filled the holes and have put down flooring under the shades so they can not dig holes in the chat.

**3.6 (a)(1) Primary Enclosures**

In regards to the flooring needing repaired in the refer building as noted on the inspection report. We have repaired the flooring.

**3.6(a)(2)(x) General Requirements (floors)**

In regards to the 2 whelping pens with mesh flooring that was to large for the puppies feet. We have replaced these pens.

**3.11( c) Housekeeping**

In regards to between the outback building needing to having to weeds cut and around the old sundowner needing waste and drainage removed as noted on the inspection report. We have removed the weeds and have removed the waste around the buildings.

We have spend a lot of money and I have 4 full time employee's and my daughters trying to get everything back in to good shape. I am going to do all the inspections with the inspectors from now on.

I have read this statement which consists of 3 pages and have had the opportunity to make any corrections and/or additions.

(b)(6),(b)(7)c \_\_\_\_\_  
SIGNATURE OF AFFIANT

Subscribed and sworn to before me, at the  
on this 15 day of, November, 2005

APHIS FORM 7162. eplaces VS Form 3-59G which is obsolete.

(NOV 92)

(b)(6),(b)(7)c \_\_\_\_\_

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO  
ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS.  
AUTHORITY NO (b)(6),(b)(7)c

GOVERNMENT  
EXHIBIT  
2  
Page 3 of 3  
APHIS FORM 7070 (MAR 95)



**INSPECTION REPORT**

**LIZANN & JEFF FORTIN**  
4-10 BEST PETS

**Customer ID:** 4248  
**Certificate:** 48-B-0225

RR 3 BOX 45  
OBERLIN, KS 67749

**Site:** 001

**Inspection**  
**Type:** ROUTINE INSPECTION  
**Date:** OCT-01-2002

3.1 ( a ) **DIRECT**

3.1 ( c ) ( 1 ) ( ii )

3.1 ( c ) ( 3 )

**HOUSING FACILITIES, GENERAL.**

Sec. 3.1 (a) Housing facilities, general. Structure; construction. Housing facilities for dogs and cats must be designed and constructed so that they are structurally sound. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

\*The door frame on pen # 2 counting from the South on the West side of the Big Reefer building, is starting to pull away from the wall. This needs to be securely fastened to prevent injury to the dogs enclosed within. This effects 2 dogs.

To be corrected by: 10-15-2002.

\* Pen # 3 counting from the north on the east side of the Green Building has a cloth shade that has fallen into the pen possibly allowing the dogs to become entangled or injured. This needs to be removed. This effects 2 dogs.

To be corrected by: 10-03-2002.

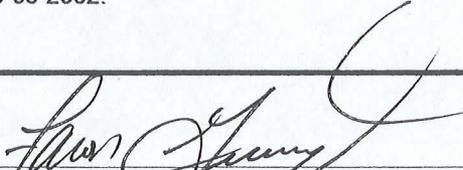
\* Pen # 5 counting from the north on the west side of the Sundowner Building has a hole in the top of the wire on the outside portion of the run that is 4 inches wide by 5 inches long. This needs to be repaired to protect the animals enclosed from injury. This effects 2 dogs.

To be corrected by: 10-07-2002.

\*Pen # 3 counting from the north on the east side of the Whelping Building has smaller wire that is attached to the divider panel, that has become torn apart by the dog enclosed within. This needs to be repaired to prevent injury to this dog.

\*Also pen # 3 counting from the south on the west side of the Whelping Building has black wire divider paneling that has been bent and is in disrepair. This needs to be corrected to prevent injury to the animals enclosed within. This effects 4 dogs.

To be corrected by: 10-03-2002.

**Prepared By:**   
FARON GREENOUGH, ACI, USDA, APHIS, Animal Care

**Date:**  
OCT-01-2002

**Title:** ANIMAL CARE INSPECTOR, Inspector ID: 4051

**Received By:** (b)(6),(b)(7)c  
LIZANN FORTIN

**Date:**  
OCT-01-2002

**Title:** OWNER





**INSPECTION REPORT**

\*The divider panel between pens #4 and 5 of the outdoor kennels has become bent and in disrepair. This panel needs to be repaired to prevent contact with the dogs from pen to pen as well as to prevent injury to the animals enclosed within. This effects 6 dogs.

To be corrected by: 10-03-2002.

\* Pen # 28 of the outdoor kennels the shade has fallen down and was leaning into the pen. The licensee fixed the shade temporarily but this needs to be fixed permanently to prevent it from happening again and possibly injuring the dogs enclosed within. This effects 3 dogs.

\*also pen # 4 of the east barn pens has a shade support that is weak and starting to collapse. This needs to be shored up and secured to prevent it from collapsing and injuring the dogs enclosed with. This effects 4 dogs.

To be corrected by: 10-07-2002.

\* The Pyrenees pen needs to have the northeast corner fenced off to keep the dogs from climbing on the barn roof and from coming into contact with other unneeded discarded materials that are in this corner of the pen. This effects 4 dogs.

To be corrected by: 10-07-2002.

Sec. 3.1(c)(1)(ii) Housing facilities, general. General requirements. The surfaces of housing facilities--including houses, dens, and other furniture-type fixtures and objects within the facility--must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Interior surfaces and any surfaces that come in contact with dogs or cats must, be free of jagged edges or sharp points that might injure the animals.

\* Pen # 8 of the outdoor kennels has a fixed shade that has become bent and broken. This tin has been torn and there are sharp edges in which the dogs can come in contact with. This needs to be repaired to prevent injury to the dogs enclosed within. This effects 3 dogs.

To be corrected by: 10-03-2002.

Sec. 3.1(c)(3).Housing facilities, general. Cleaning. Hard surfaces with which the dogs or cats come in contact must be spot-cleaned daily and sanitized in accordance with Sec. 3.11(b) of this subpart to prevent accumulation of excreta and reduce disease hazards. Floors made of dirt, absorbent bedding, sand, gravel, grass, or other similar material must be raked or spot-cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta. Contaminated material must be replaced whenever this raking and spot-cleaning is not sufficient to prevent or eliminate odors, insects, pests, or vermin infestation. All other surfaces of housing facilities must be cleaned and sanitized when necessary to satisfy generally

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Title: ANIMAL CARE INSPECTOR. Inspector ID: 4051

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LIZANN FORTIN

Title: OWNER

Date:  
OCT-01-2002

Date:  
OCT-01-2002





**INSPECTION REPORT**

accepted husbandry standards and practices.

\* All outdoor runs, of the are in need of being cleaned and having excreta removed. At the time of inspection all outdoor runs were in need of being cleaned. This effects 175 dogs.

To be corrected by: 10-03-2002.

- 3.4 ( b ) ( 2 ) DIRECT
- 3.4 ( b ) ( 3 ) REPEAT NCI
- 3.4 ( b )
- 3.4 ( c )

**OUTDOOR HOUSING FACILITIES.**

Sec. 3.4(b)(2) Outdoor housing facilities. In addition to the shelter structures, one or more separate outside areas of shade must be provided, large enough to contain all the animals at one time and protect them from the direct rays of the sun.

\* Pen # 45 of the outdoor kennel had no shade present at the time of inspection. The shade had been in the pen but removed due to dogs climbing on it. Shade must be reinstalled. Shade needs to be provided for all dogs enclosed, at all hours of the day. This effects 3 dogs.

\* All pens of the new Jack building must have shade installed as there was none observed during the inspection. This effects 14 dogs.

To be corrected by: 10-08-2002.

Sec. 3.4(b)(3) Outdoor housing facilities. Shelters in outdoor facilities for dogs or cats must contain a roof, four sides, and a floor, and must, be provided with a wind break and rain break at the entrance.

\* The following pens are in need of having a wind and rain break provided at the entrance.

- \*Pens 17 thru 20, and pen 27 of the outdoor kennel.
- \* Pens 1 thru 5 on the east side of the garage.

This effects 30 dogs.

To be corrected by: 10-14-2002.

Sec. 3.4(b) Outdoor housing facilities. Shelter from the elements. Outdoor facilities for dogs or cats must include one or more shelter structures that are accessible to each animal in each outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, and lie in a normal manner, and to turn about freely. In addition to the shelter structures, one or more separate outside areas of shade must be provided, large enough to contain all the animals at one

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 FARON GREENOUGH, AGI, USDA, APHIS, Animal Care  
 Title: ANIMAL CARE INSPECTOR Inspector ID: 4051  
 Received By: (b)(6),(b)(7)c  
 LIZANN FORTIN  
 Title: OWNER

Date:  
OCT-01-2002  
  
Date:  
OCT-01-2002





**INSPECTION REPORT**

time and protect them from the direct rays of the sun.

\*At the time of inspection there was no housing observed in the four east barn pens. Housing must be installed for these dogs to get out of the elements. Housing must have four sides, a roof and a floor. This effects 4 dogs.

\* Pen #1 of the outdoor kennel has 3 dogs enclosed. However there is not enough housing for that many dogs. Additional housing must be installed to allow all dogs enclosed to get in out of the elements. This effects 3 dogs.

\* Pen # 7 of the garage kennel has four dogs enclosed, however there is not enough housing for that many dogs. Additional housing must be installed. This effects 4 dogs.

To be corrected by: 10-03-2002.

Sec. 3.4(c)Outdoor housing facilities. Construction. Building surfaces in contact with animals in outdoor housing facilities must be impervious to moisture.The floors of outdoor housing facilities may be of compacted earth, absorbent bedding, sand, gravel, or grass, and must be replaced if there are any prevalent odors, diseases, insects, pests, or vermin. All surfaces must be maintained on a regular basis. Surfaces of outdoor housing facilities--including houses, dens, etc.--that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

\* The following wood surfaces need to be made impervious to moisture.

The wood door frames around the dog doors of the two replacement pens are needing to be made impervious to moisture.

The insides of the dog houses on the Jack building on pens 1 thru 3 on the east side counting from the north.

This effects 17 dogs.

To be corrected by: 10-21-2002.

\* The following pens are in need of having additional gravel or sand put down to keep the dogs from digging and as well as to keep them off of the wire panels that have been used to prevent digging. Contact with these panels could cause injury if the dogs would become caught or entangled in the panels. Also the gravel will help with drainage and mud as well as it will fill the holes the dogs have dug, helping to prevent standing water puddles.

Outdoor kennel pens - 1 thru 4 , 11, 15 & 16, 32, 36, 38, 40, 43, and 45

Garage pens- 8 thru 13

Replacement pens- 1 & 2

East Barn pens - 1 thru 4.

This effects 70 dogs.

Prepared By: *Faron Greenough*  
FARON GREENOUGH, ACI, USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR Inspector ID: 4051

Received By: (b)(6),(b)(7)c  
LIZANN FORTIN

Title: OWNER

Date:  
OCT-01-2002

Date:  
OCT-01-2002





**INSPECTION REPORT**

To be corrected by: 11-15-2002.

**3.11 ( a )**

**CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.**

Sec. 3.11(a) Cleaning, sanitization, housekeeping, and pest control.

Cleaning of primary enclosures. Excreta and food waste must be removed from primary enclosures daily, and from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the dogs or cats contained in the primary enclosures, and to reduce disease hazards, insects, pests and odors. When steam or water is used to clean the primary enclosure, whether by hosing, flushing, or other methods, dogs and cats must be removed, unless the enclosure is large enough to ensure the animals would not be harmed, wetted, or distressed in the process. Standing water must be removed from the primary enclosure and animals in other primary enclosures must be protected from being contaminated with water and other wastes during the cleaning. The pans under primary enclosures with grill-type floors and the ground areas under raised runs with mesh or slatted floors must be cleaned as often as necessary to prevent accumulation of feces and food waste and to reduce disease hazards pests, insects and odors.

\* The ground areas under and the washdowns on both sides of the Sundowner building are in need of being cleaned. At the time of inspection the fecal mater in the wahsdowns and on the ground under theses outside runs, was black to white in color. This is in need of being cleaned.

This effects 50 dogs.

To be corrected by: 10-04-2002.

Date of last inspection 10-25-2001.

This inspection and exit interview was conducted by Faron Greenough(ACI) along with Lizann Fortin(Owner).

End of report.

Prepared By:

*Faron Greenough*  
FARON GREENOUGH, ACI , USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051

Date:

OCT-01-2002

Received By:

(b)(6).(b)(7)c  
LIZANN FORTIN

Date:

OCT-01-2002

Title: OWNER





**INSPECTION REPORT**

LIZANN & JEFF FORTIN  
4-10 BEST PETS

Customer ID: 4248  
Certificate: 48-B-0225

RR 3 BOX 45  
OBERLIN, KS 67749

Site: 001

Inspection  
Type: ROUTINE INSPECTION  
Date: AUG-20-2003

**2.75 ( a ) ( 1 )**

**RECORDS: DEALERS AND EXHIBITORS.**

Sec. 2.75(a)(1) Records: Dealers and exhibitors. Each dealer, other than operators of auction sales and brokers to whom animals are consigned, and each exhibitor shall make, keep, and maintain records or forms which fully and correctly disclose the following information concerning each dog or cat purchased or otherwise acquired, owned, held, or otherwise in his or her possession or under his or her control, or which is transported, euthanized, sold, or otherwise disposed of by that dealer or exhibitor. The records shall include any offspring born of any animal while in his or her possession or under his or her control.

\* The records of dogs on hand are in need of being updated. During the inspection of records these records showed a lot of entries that did not have all of the information required. This affects 798 dogs.

To be corrected by: 09-30-2003.

**3.1 ( a )**

**3.1 ( b )**

**3.1 ( c ) ( 1 ) ( i )**

**3.1 ( c ) ( 3 )**

**HOUSING FACILITIES, GENERAL.**

Sec. 3.1(a) Housing facilities, general. Structure; construction. Housing facilities for dogs and cats must be designed and constructed so that they are structurally sound. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

\* During the inspection the wire fence liners on the following pens were in need of being repaired to help protect the dogs enclosed from possible injury. The wire fence liners have been placed on the divider panels to prevent dogs from reaching through. These wire liners have become broken and bent and are hanging into the pens with the dogs. This affects 13 dogs.

The pens are as follows:

Outback pens:

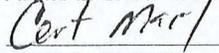
West side counting from the north pen # 1

East side counting from the south pen # 16

Prepared By:   
FARON GREENOUGH, A. C. I. , USDA, APHIS, Animal Care

Date:  
AUG-20-2003

Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051

Received By:  7002 2410 8007 8237 4317  
LIZANN FORTIN

Date:  
AUG-20-2003

Title: OWNER



AUG 26 2003



INSPECTION REPORT

Lewis building:

Counting from the north on the east side pens 3 and 5

\* During the inspection the following dog doors were observed to be either stuck open, broken or missing. These need to be repaired to keep the facility in good repair as well as to protect the dogs from possible injury. The pens are as follows:

Lewis building:

Counting from the north on the east side pens 1 and 4

Counting from the south on the west side pen # 7 (also has broken plastic around door frame).

Sundowner Building:

Counting from the north on the west side pen # 2 on the bottom and # 4 on top

Green building:

Counting from the north on the east side pen #5

New building:

Counting from the north on the east side pens 2, 4, and 8

Counting from the north on the west side pens 4, 6, 11, and 13.

This affects 25 dogs.

\* During the inspection the shade supports in pen # 3 counting from the north end on the west side of the Outback pens and pen # 3 of the Eastside pens, was observed to be in disrepair. These shade structures are in need of being repaired to prevent possible injury to the dogs enclosed within as well as to also provide shade to the dogs enclosed within this pen. This affects 7 dogs.

\* The bottom of the chain link fence on the east fence line of pen # 21 counting from the north on the west side of the Outback pens has become detached from the bottom support rail. This fence needs to be repaired in a manner that it protect the animals from injury as well as contains the animals securely. This affects 4 dogs.

\* Pen # 4 counting from the north on the west side of the Sundowner building had a broken wire panel below the gate. This wire panel that has been broken does not contain the animals securely as it is attached to the gate. This needs to be repaired to contain the animals securely as well as to protect them from injury. This affects 3 dogs.

\* Pen # 1 counting from the north end on the east side of the Green building, had a hole torn or chewed through the white plastic wall liner that was exposing the rusted wall behind. This wall liner needs to be corrected so as this pen can be kept in good repair and to prevent contact with rusty surfaces that cannot be cleaned or sanitized appropriately. This affects 5 dogs.

To be corrected by: 08-27-2003.

Sec. 3.1(b) Housing facilities, general. Condition and site. Housing facilities and areas used for storing animal food or bedding must be free of any accumulation of trash, waste material, junk, weeds, and other discarded materials. Animal areas inside of housing facilities must be kept neat and free of clutter, including equipment, furniture, and stored material, but

Prepared By: [Signature]  
FARON GREENOUGH, A. C. I. , USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051

Received By: [Signature]  
LIZANN FORTIN

Title: OWNER

Date:  
AUG-20-2003

Date:  
AUG-20-2003



AUG 26 2003



**INSPECTION REPORT**

may contain materials actually used and necessary for cleaning the area, and fixtures or equipment necessary for proper husbandry practices and research needs.

\* Pen # 4 of the eastside pens was observed to have an accumulation of debris in the pen. This debris includes broken boards, pieces of metal wastes. This pen must be cleaned of this debris to protect the dogs enclosed from possible injury. This affects 4 dogs.

To be corrected by: 08-23-3003.

Sec. 3.1(c)(1)(i) Housing facilities, general. General requirements. The surfaces of housing facilities--including houses, dens, and other furniture-type fixtures and objects within the facility--must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Interior surfaces and any surfaces that come in contact with dogs or cats must be free of excessive rust that prevents the required cleaning and sanitization, or that affects the structural strength of the surface.

\* During the inspection it was observed that pen # 7 counting from the north end on the west side of the Outback pens, has a dog house that was rusting on the front wall of the house. This rust is rusting clear through the front wall and is exposing rough rusty edges to the dogs enclosed. This rust needs to be repaired to help in the cleaning and sanitization of this dog house as well as to help maintain structural integrity. This affects 3 dogs.

To be corrected by 09-20-2003.

Sec. 3.1(c)(3) Housing facilities, general. Surfaces-- Floors made of dirt, absorbent bedding, sand, gravel, grass, or other similar material must be raked or spot-cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta. Contaminated material must be replaced whenever this raking and spot-cleaning is not sufficient to prevent or eliminate odors, insects, pests, or vermin infestation.

\* During the inspection it was observed that pens 14 thru 17 counting from the north end on the west side of the Outback pens are in need of being cleaned. These pens had an excessive accumulation of feces in the runs that was compacted into the soil. There was also a buildup of feed wastes and dog hair. These runs need to be cleaned to keep the animals from becoming soiled as well as to help prevent insect, disease, odor and pest hazards. This affects 12 dogs.

To be corrected by: 08-23-2003

**3.4 ( b )**

**3.4 ( c )**

**OUTDOOR HOUSING FACILITIES.**

Sec. 3.4(b) Outdoor housing facilities. Shelter from the elements. Outdoor facilities for dogs or cats must include one or more shelter structures that are accessible to each animal in each outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, and lie in a normal manner, and to turn about freely. In addition to the shelter

Prepared By: *Faron Greenough*  
FARON GREENOUGH, A. C. I. , USDA, APHIS, Animal Care  
Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051  
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LIZANN FORTIN  
Title: OWNER

Date:  
AUG-20-2003

Date:  
AUG-20-2003



AUG 26 2003



**INSPECTION REPORT**

structures, one or more separate outside areas of shade must be provided, large enough to contain all the animals at one time and protect them from the direct rays of the sun. Shelters in outdoor facilities for dogs or cats must contain a roof, four sides, and a floor.

\* During the inspection the following pens were observed to be in need of additional housing. All pens listed expect one did have housing present at the time of inspection; however there was not enough housing for all dog enclosed within the pen. All houses must be large enough to contain all of the dogs and allow each dog to sit, stand, and lie in a normal manner as well as to allow the dog to turn about freely and make normal postural adjustments. This affects 53 dogs. The pens are as follows.

Outback pens:

Counting from the north on the west side pens 19, 20, and 22.

Counting from the south on the east side pens 4, 7, and 19.

Along garage pens:

Counting from the north on the west side of the garage pens 1, 4, and 7.

East side

Counting from the east end around to the west pens 1, 3, 4, 5 (this pen had no housing provided)

To be corrected by 08-23.2003

Sec. 3.4(c) Outdoor housing facilities. Construction. Building surfaces in contact with animals in outdoor housing facilities must be impervious to moisture. Metal barrels, cars, refrigerators or freezers, and the like must not be used as shelter structures. The floors of outdoor housing facilities may be of compacted earth, absorbent bedding, sand, gravel, or grass, and must be replaced if there are any prevalent odors, diseases, insects, pests, or vermin. All surfaces must be maintained on a regular basis. Surfaces of outdoor housing facilities--including houses, dens, etc.--that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

\* During the inspection the following pens were observed to be in need of having holes filled, and also having additional gravel installed. These pens had large holes in the ground surfaces of the pens that were large enough for dogs to crawl into and some of the pens that had large holes that exposed the wire panels that have been put down to deter digging. This affects 33 dogs. The pens are as follows:

Windbreak pens: pens 1 thru 7 counting from the east end

Outback pens: pens 10, 11, and 19 counting from the north end on the west side

Outback pens: pens 1, 2, and 3 counting from the south end on the east side

East side pens: pens 1, 2 counting from the east end

To be corrected by 09-20-2003

Note: All pens at this facility are in need of being evaluated by the licensee and new gravel should be added as needed and maintained from this date forward

Prepared By: *Faron Greenough*  
FARON GREENOUGH, A. C. T. , USDA, APHIS, Animal Care  
Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051  
Received By: *Lizann Fortin*  
LIZANN FORTIN  
Title: OWNER

Date:  
AUG-20-2003

Date:  
AUG-20-2003



AUG 26 2003



**INSPECTION REPORT**

**3.6 ( a ) ( 2 ) ( ii )**

**PRIMARY ENCLOSURES.**

Sec. 3.6(a)(2)(ii) Primary enclosures. Primary enclosures must be constructed and maintained so that they protect the dogs and cats from injury.

\* During the inspection the elevated wire flooring in pens # 4, 5, and 6 counting from the south on the west side of the Lewis building is in need of being repaired to help protect the dogs enclosed from possible injury. These wire floors were observed to have broken wires and breaks in the seams of where the wire flooring is joined together. This affects 3 dogs.

Note: It is advised that different flooring be installed to allow for larger breed dogs to be enclosed in these pens. The larger breed dogs are to appear to be too heavy for this mesh wire flooring as the wire is sagging between all of the supports.

\* During the inspection pen # 6 counting from the east end of the Windbreak pens, was observed to have a hole dug in the south west corner that has exposed the metal panel underneath the soil. This metal panel has become broken and bent and is exposed to the dogs enclosed within. This needs to be repaired to help protect the dogs from injury. This affects 2 dogs.

To be corrected by: 08-27-2003.

**3.11 ( c )**

**CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.**

Sec. 3.11(c) Cleaning, sanitization, housekeeping, and pest control. Housekeeping for premises. Premises where housing facilities are located, including buildings and surrounding grounds, must be kept clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required in this subpart, and to reduce or eliminate breeding and living areas for rodents and other pests and vermin. Premises must be kept 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 pest control, and to protect the health and well-being of the animals.

\* During the inspection it was observed that all seven pens of the Eastside pens are in need of having the weeds controlled both inside of the pens and along the outside perimeter of these pens. The weeds were growing up at approximately two to three feet tall in the pens and in the fence lines of the pens. This must be done to help facilitate cleaning of the premises and to helping pest control as well as to protect the health and well being of the dogs enclosed within. This affects 21 dogs.

To be corrected by: 09-03-2003

Date of last complete inspection 11-12-2002.

This inspection and exit interview was conducted by Faron Greenough (ACI) along with Lizann Fortin (owner).

End of report.

Prepared By: *Faron Greenough*  
FARON GREENOUGH, A. C. I. , USDA, APHIS, Animal Care  
Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051  
Received By: \_\_\_\_\_  
LIZANN FORTIN  
Title: OWNER

Date:  
AUG-20-2003

Date:  
AUG-20-2003



AUG 26 2003

7002 2410 0007 8237 4317

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 or PO Box No. RT 3 Box 45  
 City, State, ZIP+4 Oberlin KS 67749

PS Form 3800, June 2002 See Reverse for Instructions

Cust # 4248  
Inspection Rpt.  
20-Aug-03



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature            (b)(6),(b)(7)c <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)            Lizann Fortin</p> <p>C. Date of Delivery            8-26-03</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes            If YES, enter delivery address below: <input type="checkbox"/> No</p> <p style="text-align: center;">AUG 29 2003</p>
<p>1. Article Addressed to: <u>4880225</u>  <u>Lizann Fortin</u>  <u>RT 3 Box 45</u>  <u>Oberlin Kansas 67749</u></p> <p><u>Inspection Report</u> <u>8-20-03</u></p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number            (Transfer from service) <u>7002 2410 0007 8237 4317</u></p>	



AFFIDAVIT

I, Faron Greenough, being duly sworn on oath make the following statement of my own free will and to the best of my knowledge, it is true and correct.

I am making this statement to (b)(6),(b)(7)c who has identified himself as an investigator with Investigative and Enforcement Services - United States Department of Agriculture (USDA). I am employed as an Animal Care Inspector with the USDA-APHIS- Animal Care program. I have been in this position for approximately 4 years. My work address is USDA-Animal Care ,2150 Center Ave. Bldg. B Mail Stop #3W11 Ft. Collins Co. 80526-8117. My work phone number is (970) 494-7467. My duties as an Animal Care Inspector include conducting inspections at USDA licensed facilities to monitor the licensee's compliance with the Animal Welfare Act and its regulations and standards. My geographical area of responsibility are 12 counties in Kansas and 52 counties in Nebraska. My duties are when non compliant items are found at a licensed facility, these items are documented on an USDA-APHIS-AC inspection report with instructions and time frames to gain compliance. One of the facilities that are in my area of inspection responsibility is 4-10, Best Pets owned by Jeff Fortin. I had been inspecting this facility for approximately 4 years. On this date (b)(6),(b)(7)c has requested that I disclose further details concerning some of the non compliant items that have been documented during my inspections at the Fortin's facility.

Inspection report of August 20, 2003

2.75 (a) (1) Records How many was a lot of entries on the reports? I would estimated 60% of the entries was not complete and correct.

(b)(6),(b)(7)c

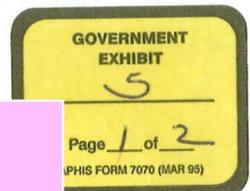
SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Overland Park KS. . on this 13 day of December 2005

APHIS FORM 7162 Replaces VF Form 3-59G which is obsolete (NOV 92)

(b)(6),(b)(7)c

DESIGNATED PURSUANT TO 7 U.S.C. 2217 TO ADMINISTER OATHS, AFFIDAVITS, AND AFFIRMATIONS. AUTHORITY NO. (b)(6),(b)(7)c



AFFIDAVIT

I, Faron Greenough, *being duly sworn on oath make the following statement of my own free will and to the best of my knowledge, it is true and correct.*

Inspection report of July 15, 2004

After reviewing this inspection report of July 15, 2004 with (b)(6),(b)(7)c These non-compliant items should have been listed as 2.50 (b)(3) instead of 2.50(a)(1) and 3.1(f) instead of 3.11( c).

Inspection report of August 25, 2004

3.4(b) How many pens needed shade? Approximately 16 pens total in need of shade.

Inspection report of July 26, 2005

3.4 (b)(3) How many pens needed shade? I don't recall how many pens there were.

I have read this statement which consists of 2 page and have had the opportunity to make any corrections and/or additions.

(b)(6),(b)(7)c

SIGNATURE OF AFFIANT

Subscribed and sworn to before me at Overland Park KS. .  
on this 13 day of December 2005

(b)(6),(b)(7)c





**INSPECTION REPORT**

4248 cust\_id  
195608 insp\_id  
11109 site\_id

**LIZANN & JEFF FORTIN**  
4-10 BEST PETS

**Customer ID:** 4248  
**Certificate:** 48-B-0225

RR 3 BOX 45  
OBERLIN, KS 67749

**Site:** 001  
LIZANN & JEFF FORTIN

**Inspection**  
**Type:** ROUTINE INSPECTION  
**Date:** JUL-15-2004

**2.50 ( a ) ( 1 )**  
**TIME AND METHOD OF IDENTIFICATION.**

Sec. 2.50(a)(1) Time and method of identification. A class "A" dealer (breeder) shall identify all live dogs and cats on the premises as follows: All live dogs and cats held on the premises, purchased, or otherwise acquired, sold or otherwise disposed of, or removed from the premises for delivery to a research facility or exhibitor or to another dealer, or for sale, through an auction sale or to any person for use as a pet, shall be identified by an official tag of the type described in Sec. 2.51 affixed to the animal's neck by means of a collar made of material generally considered acceptable to pet owners as a means of identifying their pet dogs or cats, or shall be identified by a distinctive and legible tattoo marking acceptable to and approved by the Administrator.

\* When reviewing the records of disposition it was observed that there were several dogs listed on the forms that were listed as "No Collar" for their official identification. These were puppies that were in being sold and transported. All puppies need to be identified with an individual identification whenever they leave the facility for sale or transit. This needs to be done from this date forward.

To be corrected by: from this date forward.

**2.75 ( a ) ( 1 ) REPEAT NCI**  
**RECORDS: DEALERS AND EXHIBITORS.**

Sec. 2.75(a)(1) Records: Dealers and exhibitors. Each dealer, other than operators of auction sales and brokers to whom animals are consigned, and each exhibitor shall make, keep, and maintain records or forms which fully and correctly disclose the following information concerning each dog or cat purchased or otherwise acquired, owned, held, or otherwise in his or her possession or under his or her control, or which is transported, euthanized, sold, or otherwise disposed of by that dealer or exhibitor. The records shall include any offspring born of any animal while in his or her possession or under his or her control.

\* At the time of inspection the records of acquisition or 7005 (dogs on hand) was not current. There were several dogs that were on the record however there was no individual dog identification number listed in the respective column. These records need to be updated and kept current.

**3.4 ( b ) REPEAT NCI**

Prepared By:

*Faron Greenough*

FARON GREENOUGH, A.C.I., USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR, Inspector ID: 4051

Received By:

*7003 2260 0005 7902 8729*

certified mail

Title:

Date:

JUL-15-2004

Date:

JUL-15-2004



GOVERNMENT EXHIBIT

6

Page 1 of 5

APHIS FORM 7070 (MAR 95)

JUL 19 2004



**INSPECTION REPORT**

**OUTDOOR HOUSING FACILITIES.**

Sec. 3.4(b) Outdoor housing facilities. Shelter from the elements. Outdoor facilities for dogs or cats must include one or more shelter structures that are accessible to each animal in each outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, and lie in a normal manner, and to turn about freely. In addition to the shelter structures, one or more separate outside areas of shade must be provided, large enough to contain all the animals at one time and protect them from the direct rays of the sun.

\* At the time of inspection there were several dogs in the outside kennel areas that were observed to be enclosed in pens that did not have adequate housing for the number of dogs enclosed within. Extra housing is needed for these dogs or moving dogs to enclosures that have adequate sized housing is needed. The pens are as follows:

# 9 counting from the north end on the east side of the Outback kennel.

# 4 counting from the west end of the Windbreak pens

The North West pen of the garage kennel.

\* At the time of inspection there were several pens that were in need of having additional shade installed or of having the shade that is currently in place moved in a manner that allows for all dogs access to shade and protects them from the direct rays of the sun. The pens are as follows.

The pens on the south side of the garage kennel.

The pens on the east side of the Jack building.

The 7 smaller pens on the south end of the west row of Outback pens.

To be corrected by: 07-22-2004.

3.6 ( a ) ( 1 )

**DIRECT**

3.6 ( a ) ( 2 ) ( i )

3.6 ( c ) ( 1 ) ( i )

**PRIMARY ENCLOSURES.**

Sec. 3.6(a)(1) Primary enclosures.

Primary enclosures for dogs and cats must meet the following minimum requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair.

\* At the time of inspection there were several pens that were observed to have broken wires in the flooring, divider panels that had broken wires, and divider panels that were bent downward. These are in need of being replaced or repaired in a manner that protects the dogs enclosed from possible injury. The pens are as follows.

Pens 2 & 3 counting from the north on the west side of the Big Reefer building (hole in wire flooring due to broken wire mesh)

Pen # 1 counting from the north end on the west side of the Old Sundowner building (broken wire)

The far end pen counting from the north end on the west side of the Old sundowner building (broken wire)

Pen # 2 counting from the north end on the east side of the Lewis building (bent down divider panel)

Pen # 9 counting from the north end on the west side of the New building (bent and broken wires in divider panel)

Prepared By: *Faron Greenough*  
FARON GREENOUGH, A.C.I. , USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051

Received By: \_\_\_\_\_  
certified mail

Title:

Date:  
JUL-15-2004

Date:  
JUL-15-2004



JUL 19 2004



INSPECTION REPORT

4248 cust\_id  
195608 insp\_id  
11109 site\_id

To be corrected by: 07-22-2004.

Sec. 3.6(a)(2)(i) Primary enclosures. Primary enclosures must be constructed and maintained so that they have no sharp points or edges that could injure the dogs and cats.

\* At the time of inspection the mesh wire flooring in all pens on the west side of the Lewis building was observed to be broken and bent. This flooring was observed to have sharp points and edges and well as broken holes in the wire flooring. Total replacement is needed for this section of flooring. No new dogs can be housed in these pens until the wire mesh flooring has been replaced.

To be corrected by: 08-05-2004.

Sec. 3.6(c)(1)(i) Primary enclosures. Additional requirements for dogs-- Each dog housed in a primary enclosure (including weaned puppies) must be provided a minimum amount of floor space, calculated as follows: Find the mathematical square of the sum of the length of the dog in inches (measured from the tip of its nose to the base of its tail) plus 6 inches; then divide the product by 144. The calculation is: (length of dog in inches + 6) x (length of dog in inches + 6) = required floor space in square inches. Required floor space in inches/144 = required floor space in square feet.

\* At the time of inspection the pen containing three terriers on the east side of the new sundowner building does not provide the adequate amount of space for the dogs enclosed within. The measurements are as follows.

36 X 29 inches outside = 1044 sq inches  
30 X 28 inches inside = 840 sq. inches  
Total Sq. inches = 1884 sq. inches  
1884sq. inches divided by 144 = 13.08 Sq. Feet available to the dogs

Three terriers in the enclosure:

23 inches long + 6 inches = 29 inches X 29 inches = 841 sq. inches  
divide 841 sq. inches by 144 = 5.8 sq. feet needed per dog X 3 dogs = 17.4 sq. feet needed for all three dogs.  
This pen is 4.32 sq. feet short of the space requirements for these three dogs in this enclosure.

\* At the time of inspection the pen containing 4 Bichon on the west side of the New building does not provide the adequate amount of space for the dogs enclosed within. The measurements are as follows.

44 X 31 inches outside = 1364 sq. inches  
30 X 30 inches inside = 900 sq. inches  
Total inches = 2264 sq. inches  
2264 sq. inches divided by 144 = 15.72 sq. feet available to the dogs.

4 Bichon in this enclosure

19 inches long + 6 = 25 inches X 25 inches = 625 sq. inches  
divide 625 sq. inches by 144 = 4.34 sq. feet needed per dog X 4 dogs = 17.36 sq. feet need for all dogs four dogs.  
This pen is 1.66 sq. feet short of the space requirements for these four dogs in this enclosure.

These dogs are in need of being moved to pens where the space requirements are met.

Prepared By: *Faron Greenough*  
FARON GREENOUGH, A.C.I., USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR, Inspector ID: 4051

Received By: 7003 2260 0005 7902 8726  
certified mail

Title:

Date:  
JUL-15-2004

Date:  
JUL-15-2004



JUL 19 2004



INSPECTION REPORT

4248 cust\_id

195608 insp\_id

11109 site\_id

To be corrected by: 07-19-2004.

3.11 ( c )

3.11 ( d )

**CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.**

Sec. 3.11(c) Cleaning, sanitization, housekeeping, and pest control. Housekeeping for premises. Premises where housing facilities are located, including buildings and surrounding grounds, must be kept clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required in this subpart, and to reduce or eliminate breeding and living areas for rodents and other pests and vermin.

\* At the time of inspection there was three drain pipes that had fallen off of their connections. This allows for the drainage from these three drains in two different buildings, to pool up and stand in puddles. These wet areas are breeding and living areas for pests and vermin. These drain pipes are in need of being reconnected in a manner that removes the drainage of water and feces from the area directly around these two kennel buildings.

To be corrected by: 07-17-2004.

Sec. 3.11(d) Cleaning, sanitization, housekeeping, and pest control. Pest control. An effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests, must be established and maintained so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

\* At the time of inspection the north end inside area of the Lewis building was observed to have an accumulation of rodent feces as well as a large enough hole in the wall to allow for the passage of rodents. An effective method of preventing and controlling rodents is in need of being implemented in this building.

To be corrected by: from this date forward.

Date of last inspection 08-20-2003

This inspection and exit interview was conducted by Faron Greenough (ACI), Jim Gauthier (ACI), David Oelberg (VMO) along with Lizann Fortin (owner).

End of report.

Prepared By: *Faron Greenough*  
FARON GREENOUGH, A.C.I., USDA, APHIS, Animal Care  
Title: ANIMAL CARE INSPECTOR, Inspector ID: 4051  
Received By: \_\_\_\_\_  
certified mail  
Title: \_\_\_\_\_

Date:  
JUL-15-2004

Date:  
JUL-15-2004



JUL 19 2004

Cnd # 4248

48-B-0225

7-15-04  
Inspection

7003 2260 0005 7902 8726

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OBERLIN KS 67749

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0391  
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JUL 16 2004  
07/16/2004

Sent To  
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Street, Apt. No., or PO Box No. RR 3 Box  
City, State, ZIP+4 Oberlin KS 67749

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature  <input checked="" type="checkbox"/> (b)(6),(b)(7)c <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Lizann Fortin</p> <p>C. Date of Delivery 7-19-4</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No        if YES, enter delivery address below:</p>
<p>1. Article Addressed to: 4880225          Lizann Fortin          RR 3 Box 45          Oberlin KS 67749          JUL 22 2004          Inspection 7-15-04</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)          7003 2260 0005 7902 8726</p>	





**INSPECTION REPORT**

4248 cust\_id  
195637 insp\_id  
11109 site\_id

**LIZANN & JEFF FORTIN**  
4-10 BEST PETS

**Customer ID:** 4248  
**Certificate:** 48-B-0225

RR 3 BOX 45  
OBERLIN, KS 67749

**Site:** 001  
LIZANN & JEFF FORTIN

**Inspection**  
**Type:** ROUTINE INSPECTION  
**Date:** AUG-25-2004

**3.4 ( b ) REPEAT NCI**  
**OUTDOOR HOUSING FACILITIES.**

Sec. 3.4(b) Outdoor housing facilities. Shelter from the elements. Outdoor facilities for dogs or cats must include one or more shelter structures that are accessible to each animal in each outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, and lie in a normal manner, and to turn about freely. In addition to the shelter structures, one or more separate outside areas of shade must be provided, large enough to contain all the animals at one time and protect them from the direct rays of the sun.

\* At the time of inspection there were several dogs in the outside kennel areas that were observed to be in pens that did not provide adequate housing for the number of dogs enclosed within. Extra housing is needed for these dogs or moving the dogs to enclosures that have adequate sized housing is needed. The pens are as follows:

- # 9 counting from the north end on the east end of the Outback kennel.
- # 4 counting from the west end of the windbreak pens.

\* At the time of inspection there were several pens that were in need of having additional shade installed or of having the shade that is currently in place moved in a manner that allows for al dogs access to shade and protects them from the direct rays of the sun. The pens are as follows.  
The pens on the south side of the garage kennel  
The pens on the east side of the Jack building.

**3.6 ( a ) ( 1 ) REPEAT NCI**  
**PRIMARY ENCLOSURES.**

Sec. 3.6(a)(1) Primary enclosures. Primary enclosures for dogs and cats must meet the following minimum requirements. Primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary enclosures must be kept in good repair.

\* At the time of inspection there were several pens that were observed to have broken wires in the flooring, divider panels that had broken wires and divider panels that were bent downward. These items are in need of being replaced or repaired in a manner that protects the dogs enclosed from possible injury. The pens are as follows:

Pens 2 & 3 counting from the north on the west side of the big reefer building (hole in wire flooring due to broken wire mesh).

Prepared By: \_\_\_\_\_

FARON GREENOUGH, A.C.I. , USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051

Date:  
AUG-25-2004

Received By: \_\_\_\_\_

certified mail

Title: 7003 1680 0005 5367 6458

Date:  
AUG-25-2004



SEP - 2 2004



INSPECTION REPORT

4248 cust\_id  
195637 insp\_id  
11109 site\_id

Pen # 1 counting from the north end on the west side of the Old sundowner building.(broken wire).  
Pen # 2 counting from the north end on the east side of the Lewis building (bent down divider panel)

Pen # 9 counting from the north end on the west side of the New building (bent and broken wires in divider panel)

This was a focused inspection to check back on repeats and directs from previous inspection.

This inspection and exit interview was conducted by Faron Greenough (ACI) along with Rebecca and Jeff Fortin(owners).

End of report.

Prepared By:

FARON GREENOUGH, A.C.I. , USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051

Received By:

certified mail

Title: 7003 1680 0005 5367 6458

Date:

AUG-25-2004

Date:

AUG-25-2004



Cust # 4248  
 Insp. Rpt.  
 29-Aug-04

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 AUG 30 2004  
 USPS

Sent To: Jeff or (b)(6),(b)(7)c Fortin  
 Street, Apt. No. or PO Box No. RR 3 Box 45  
 City, State, ZIP+4 Oberlin KS 67749

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>(b)(6),(b)(7)c</p> <p><input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>Date of Delivery: 8/31/04</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to: 48B0225          Jeff or (b)(6),(b)(7)c Fortin          RR 3 Box 45          Oberlin KS 67749</p>	<p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number: 7003 1680 0005 5367 6458          (Transfer from service label)</p> <p>SEP -2 2004          Insp Report 8/25/04</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540





**INSPECTION REPORT**

4248 cust\_id  
262111 insp\_id  
11109 site\_id

**LIZANN & JEFF FORTIN**  
4-10 BEST PETS

Customer ID: 4248  
Certificate: 48-B-0225

RR 3 BOX 45  
OBERLIN, KS 67749

Site: 001  
LIZANN & JEFF FORTIN

Inspection  
Type: ROUTINE INSPECTION  
Date: JUL-26-2005

2.40 ( a ) ( 1 )

2.40 ( b ) ( 3 )

**ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).**

Sec. 2.40(a)(1) Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall have an attending veterinarian who shall provide adequate veterinary care to its animals in compliance with this section. Each dealer and exhibitor shall employ an attending veterinarian under formal arrangements. In the case of a part-time attending veterinarian or consultant arrangements, the formal arrangements shall include a written program of veterinary care and regularly scheduled visits to the premises of the dealer or exhibitor.

\* The date on the program of vet care was listed as 03-30-2004. An on-site visit by the attending veterinarian is in need of being scheduled and conducted. An updated signature the attending vet is also needed. This affects 1044 dogs.

To be corrected by: 08-04-2005.

Sec. 2.40(b)(3) Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include daily observation of all animals to assess their health and well-being; Provided, however, That daily observation of animals may be accomplished by someone other than the attending veterinarian; and Provided, further, That a mechanism of direct and frequent communication is required so that timely and accurate information on problems of animal health, behavior, and well-being is conveyed to the attending veterinarian.

\* The dachshund female identified by microchip # 107109118 needs to be seen by the attending veterinarian. She was acquired by the facility in the last couple of days but is in very poor condition. Her backbone is showing as is her hip bones. She needs to be seen by the attending veterinarian to diagnose her condition and recommend any special care or treatment this dog may need.

To be corrected by: 08-04-2005.

3.1 ( a )

3.1 ( f )

**HOUSING FACILITIES, GENERAL.**

Prepared By: *Faron Greenough*  
FARON GREENOUGH, A.C.I. , USDA, APHIS, Animal Care

Date:  
JUL-26-2005

Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051

Received By: (b)(6),(b)(7)c *for Jeff Fortin*  
Jeff Fortin

Date:  
JUL-26-2005

Title: OWNER



AUG - 3 2005



INSPECTION REPORT

4248 cust\_id  
262111 insp\_id  
11109 site\_id

Sec. 3.1(a) Housing facilities, general. Structure; construction. Housing facilities for dogs and cats must be designed and constructed so that they are structurally sound. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

\*Pen # 2 counting from the north end of the west side outback pens is in need of having the dog house front repaired. This large plywood section had collapsed and was falling away from the dog house. This needs to be done to protect the dogs enclosed from possible injury. This affects 3 dogs.

Note: This item was corrected by the facility by the conclusion of the inspection.

\* The dog houses in the pens listed below are in need of having repairs made to the dog houses. These houses had large gaps in the side and/or back walls. These holes were rusted through on some and some were caused by a separation between the side and back walls. These houses must be repaired in a manner that protects the animals from injury. The gaps along the bottom of the side walls were approximately 1 1/2 inches wide by 24 inches long. The pens are as follows: counting from the north end on the west side of the Outback pens, 7, 8, 9, 10. The facility needs to evaluate the condition of all dome houses and make repairs as necessary. This affects 9 dogs.

\* Pen # 1 counting from the north end of the Outback west side Hutch pens needs to have the large hole in the house portion of this pen repaired. This is a large hole that has been chewed in the inside front wall. This needs to be done to help prevent injury to the animals enclosed. This affects 2 dogs.

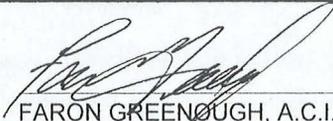
\* Several shade structures are in need of being re-secured in a manner that keeps them upright and on level ground. The shade structure in pen # 11, counting from the south end of the east side of the outback pens was almost tipped over as the legs of the structure was moved into holes that had been dug by the dogs enclosed. This needs to be done to protect the dogs from injury. This affects 3 dogs.

\* The small wire runs on the outside portion of the new building are in need of being securely attached to the framework in which they are resting on. The cages are currently just resting on the frame. This must be done to protect the dogs from possible injury. This affects 24 dogs.

To be corrected by: 08-26-2005

Sec. 3.1(f) Housing facilities, general. Drainage and waste disposal. Housing facility operators must provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, debris, garbage, water, other fluids and wastes, and dead animals, in a manner that minimizes contamination and disease risks. Housing facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal waste and water are rapidly eliminated and animals stay dry. Disposal and drainage systems must minimize vermin and pest infestation, insects, odors, and disease hazards. All drains must be properly constructed, installed, and maintained. If closed drainage systems are used, they must be equipped with traps and prevent the backflow of gases and the backup of sewage onto the floor. If the facility uses sump or settlement ponds, or other similar systems for drainage and animal waste disposal, the system must be located far enough away from the animal area of the housing facility to prevent odors, diseases, pests, and vermin infestation. Standing puddles of water in animal enclosures must be drained or mopped up so that the animals stay dry.

\* The outside wash downs, inside wash downs, and the down spouts of the old sundowner building are in need of being repaired in a manner that allows for the waste water and solid wastes to be eliminated from the area. These outside wash

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Title: ANIMAL CARE INSPECTOR, Inspector ID: 4051  
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Jeff Fortin  
Title: OWNER

Date: JUL-26-2005  
Date: JUL-26-2005



AUG 2 2005



INSPECTION REPORT

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downs are leaking around the down spout and the wash down end cap and a leaking these wastes into the pen below and onto the ground area around the kennel. Also the wastes from the inside wash downs are leaking around the drain spouts causing the wastes to puddle under the building. These drains and spouts need to function in a manner that minimizes contamination and disease risk by moving the wastes far enough from that it helps reduce disease, pests and odor hazards. This affects 30 dogs.

\* There were several pens where water was standing in puddles. These puddles need to be eliminated from the pens. This must be done to reduce disease, pests and odor hazards and so that the animals stay dry. The pens are as follows:

Outback west side counting from the north end: all Chain Link pens and pens # 6 and # 7.

Outback east side counting from the south end: # 1 and #2.

This affects 22 dogs.

To be corrected by: 08-16-2005.

3.4 ( b ) ( 3 )

3.4 ( b ) REPEAT NCI

3.4 ( c )

OUTDOOR HOUSING FACILITIES.

Sec. 3.4(b)(3) Outdoor housing facilities. Shelter from the elements. Outdoor facilities for dogs or cats must include one or more shelter structures that are accessible to each animal in each outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, and lie in a normal manner, and to turn about freely. In addition to the shelter structures, one or more separate outside areas of shade must be provided, large enough to contain all the animals at one time and protect them from the direct rays of the sun. Shelters in outdoor facilities for dogs or cats must contain a roof, four sides, and a floor, and must be provided with a wind break and rain break at the entrance.

\* The pens of the hutch kennel at the south end of the outback west side kennels are in need of having a wind and rain break at the entrance. This must be done to keep wind and rain from entering the house portions of the runs. This affects 10 dogs.

To be corrected by: 08-02-2005.

Sec. 3.4(b) Outdoor housing facilities. Shelter from the elements. Outdoor facilities for dogs or cats must include one or more shelter structures that are accessible to each animal in each outdoor facility, and that are large enough to allow each animal in the shelter structure to sit, stand, and lie in a normal manner, and to turn about freely. In addition to the shelter structures, one or more separate outside areas of shade must be provided, large enough to contain all the animals at one time and protect them from the direct rays of the sun.

\* The pens listed below are all in need of having additional housing installed or of having dogs relocated to other pens that have adequate housing. These pens had houses that did not allow enough housing for the number and or size of dogs enclosed. This affects 35 dogs.

Pens:

# 5 of the first section of the elevated tree line kennel

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Title: OWNER

Date:  
JUL-26-2005

Date:  
JUL-26-2005



AUG - 3 2005



**INSPECTION REPORT**

Outback east side counting from the south end: # 2, # 8, # 9, #15, #20  
Garage pens counting from the south end on the west side; # 2, # 5, # 6.  
Note: These dogs were moved before the conclusion of the inspection.

\* Pen # 2 and # 5 counting from the north end on the west side of the broker building kennel had one dog each enclosed within. These runs were attached to the elevated runs of a sheltered building but these runs did not have access to the inside portion of the building. The pens did not have a dog houses available either. These pens are not to be used unless access to the building is provided or dog houses are provided.

Note: These dogs were moved before the conclusion of the inspection.

\* All pens on the east side of the Outback kennels are in need of having additional shade installed. There are currently two shade structures in place, however during the late afternoon sunshine these shades don't allow enough shade for all dogs enclosed in the pens. This affects 60 dogs.

\* Pen # 4 of the east side kennels is also in need of having additional shade installed. There is currently shade installed but during the mid-day sun it does not provide shade for all four dogs.

Sec. 3.4(c) Outdoor housing facilities. The floors of outdoor housing facilities may be of compacted earth, absorbent bedding, sand, gravel, or grass, and must be replaced if there are any prevalent odors, diseases, insects, pests, or vermin. All surfaces must be maintained on a regular basis. Surfaces of outdoor housing facilities--including houses, dens, etc.--that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

\* The pens listed below are all in need of having the holes filled and having additional flooring material or gravel installed. These pens had several large holes dug into the ground runs and are needing filled and extra substrate is needed to keep the animals dry and to allow for proper cleaning of the runs. This affects 90 dogs. The pens are as follows:

- Out back west side: several west side pens and the chain link pens, and the new pen
- Out back east side: several east side pens
- Jack building: all pens on east side
- Garage pens: # 4 from east on south side
- East side pens: pens # 1 thru # 4
- Below house pens: # 1

To be corrected by: 08-05-2005

3.6 ( a )( 1 ) REPEAT NCI

3.6 ( a )( 2 )( x )

**PRIMARY ENCLOSURES.**

Sec. 3.6(a)(1) Primary enclosures. Primary enclosures for dogs and cats must meet the following minimum requirements: primary enclosures must be designed and constructed of suitable materials so that they are structurally sound. The primary

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 Jeff Fortin  
 Title: OWNER

Date: JUL-26-2005  
 Date: JUL-26-2005



AUG - 3 2005



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enclosures must be kept in good repair.

\* The expanded metal flooring on the west side of the Reefer building is in need of being replaced or repaired in a manner that protects the dogs enclosed from possible injury. There were three pens that had holes or gaps in the flooring that could possibly injure the dogs enclosed. This affects 3 dogs. Those pens are as follows:

Pen # 1 counting from the north end: large gap in flooring due to busted expanded metal along the seam of two pieces of the flooring. The gap is approximately 2 inches wide by 5 inches long.

Pen # 2 counting from the north end: hole in flooring approximately 2 inches wide by 3 inches long.

Pen # 4 counting from the north end: gap in the seam between two pieces of flooring approximately 1 1/2 inches wide by the length of the run, approximately 6 feet.

Sec. 3.6(a)(2)(x) Primary enclosures. Primary enclosures for dogs and cats must meet the following minimum requirements: primary enclosures must be constructed and maintained so that they have floors that are constructed in a manner that protects the dogs' and cats' feet and legs from injury, and that, if of mesh or slatted construction, do not allow the dogs' and cats' feet to pass through any openings in the floor.

\* Two whelping pens in the Lewis building were observed to have females with litters that had mesh wire flooring that was large enough that the puppies' feet were observed to pass through the openings in the floor. This was corrected on the spot, however this need to be evaluated on a dog by dog basis when they are in the whelping pens. Smaller flooring, solid flooring or another method of preventing the feet from passing through the openings in these pens needs to be implemented from this date forward. This affects 8 dogs.

To be corrected by: from this date forward.

**3.11 (c) REPEAT NCI  
CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.**

Sec. 3.11(c) Cleaning, sanitization, housekeeping, and pest control. Housekeeping for premises. Premises where housing facilities are located, including buildings and surrounding grounds, must be kept clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required in this subpart, and to reduce or eliminate breeding and living areas for rodents and other pests and vermin. Premises must be kept 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 pest control, and to protect the health and well-being of the animals.

\* The area between the Outback kennel east and west sides and the pens of all 4 of the East side pens are in need of having the weeds trimmed in a manner that eliminates breeding and living areas for rodents, pests and other vermin as well as to facilitate other husbandry practices. This affects 132 dogs.

\* The area around the back of the old sundowner building has a buildup of wastes and drainage. The drains and wash downs are not working properly allowing for the wastes from this building to pool up and stand in puddles. These areas are breeding and living areas for pests and other vermin. These drains are in need of being repaired in a manner that removes the wastes and drainage from the area directly around this building. The waste that is currently collecting under the back of the building is in need of being removed from area as well. This affects 60 dogs.

Prepared By: [Signature]  
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Jeff Fortin  
Title: OWNER

Date:  
JUL-26-2005

Date:  
JUL-26-2005



AUG - 3 2005



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This was a facility only inspection. Records will be inspected a concurrent inspection  
End of report

Prepared By:

*Faron Greenough*

FARON GREENOUGH, A.C.I. , USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR , Inspector ID: 4051

Received By:

(b)(6),(b)(7)c

*for Jeff Fortin*

Jeff Fortin

Title: OWNER

Date:

JUL-26-2005

Date:

JUL-26-2005



AUG 3 2005

# High Plains Veterinary Service P.A.

(b)(6),(b)(7)c

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Rt 3 Box 2

Oberlin KS 67749

Telephone: (b)(6),(b)(7)c

Atwood Office: (785) 626-9566

Fax: (785) 475-2788

November 16, 2005

To Whom This May Concern;

I am writing this statement on behalf of 4-10 Best Pets(Jeff Fortin). I have been the attending veterinarian for the past 7 years for 4-10 Best Pets. I have been visiting their kennels every 2-3 weeks for puppy inspections and at least once a year for a complete kennel inspection.

(b)(6),(b)(7)c asked me to comment a thin dachshund female in July, I have no records or recollection of this dog.

Since beginning a veterinarian/client/patient relationship with 4-10 Best Pets several expansions have occurred. With each expansion a temporary reduction in dog health has followed. Each expansion requires more help all of which is untrained and a learning curve follows.

Fortunately the expansion phase is now finished and dog health care should remain at an expectable level.

Sincerely,

(b)(6),(b)(7)c

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APHIS FORM 7070 (MAR 99)



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	2.40 (b)(3)
<b>DESCRIPTION:</b>	This is a photo of dachshund # 107109118. The photo shows the poor condition of the dog. The hip bones and back bone are visible.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	2.40 (b)(3)
<b>DESCRIPTION:</b>	This is a photo of dachshund # 107109118. The photo shows the poor condition of the dog. The hip bones and back bone are visible.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	2.40 (b)(3)
<b>DESCRIPTION:</b>	This is a photo of dachshund # 107109118. The photo shows the poor condition of the dog. The hip bones and back bone are visible.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(a)
<b>DESCRIPTION:</b>	This photo shows the dog house that has rusted through the side wall. This creates a gap in the side wall.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough

GOVERNMENT  
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Page 1 of 6

APHIS FORM 7070 (MAR 95)



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1 (A)
<b>DESCRIPTION:</b>	This photo shows the plywood dog house front that is collapsing into the dog house. It had become detached from the supports. It is in pen # 2 counting from the north end of the west side "outback pens".
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough

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APHIS FORM 7070 (MAR 95)



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(a)
<b>DESCRIPTION:</b>	This photo was taken inside of the dog house of pen # 1 on the north end of the hutch pens of the "Outback pens". The photo shows a large hole has been chewed into the wall of the dog house.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(a) and 3.4(c)
<b>DESCRIPTION:</b>	This photo shows the shade support that is falling over. The photo also shows the large hole in front of the feeder that needs to be filled. This is pen # 11 counting from the south end on the east side of the "Outback pens".
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(a)
<b>DESCRIPTION:</b>	This photo shows the gap along the back wall and along the floor of the dog house. The gap is where the sunlight is passing through into the dog house. This is pen # 7 counting from the north end of the west side "outback pens".
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



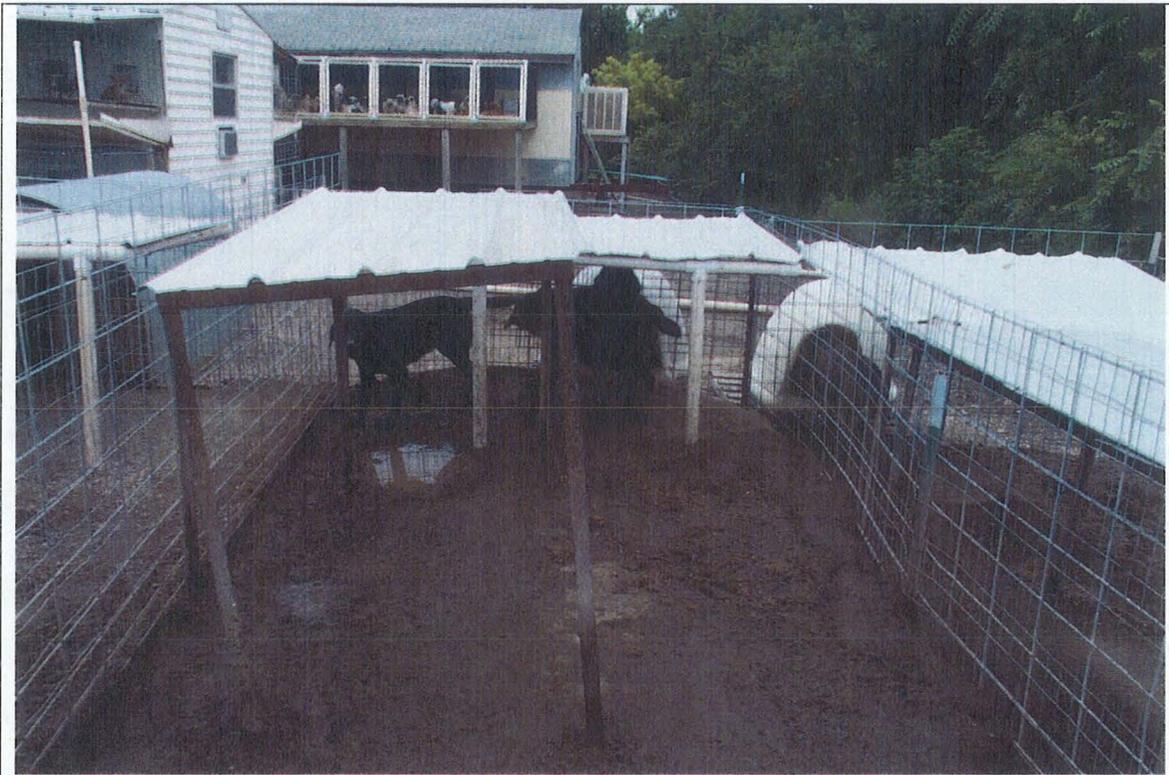
<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(a)
<b>DESCRIPTION:</b>	This photo shows another dog house with a gap along the floor in the back of the dog house. The gap is where the light is shining through the back wall. This is in pen # 7 counting from the north end of the west side "outback pens".
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f)
<b>DESCRIPTION:</b>	This photo shows the need for drainage in the "Chain link" pens. There is a large puddle of muddy water along the fence line in this photo.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f)
<b>DESCRIPTION:</b>	This photo shows the need for drainage in the "Chain link" pens. The large puddle of muddy water is right behind the dog that is looking at the camera.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



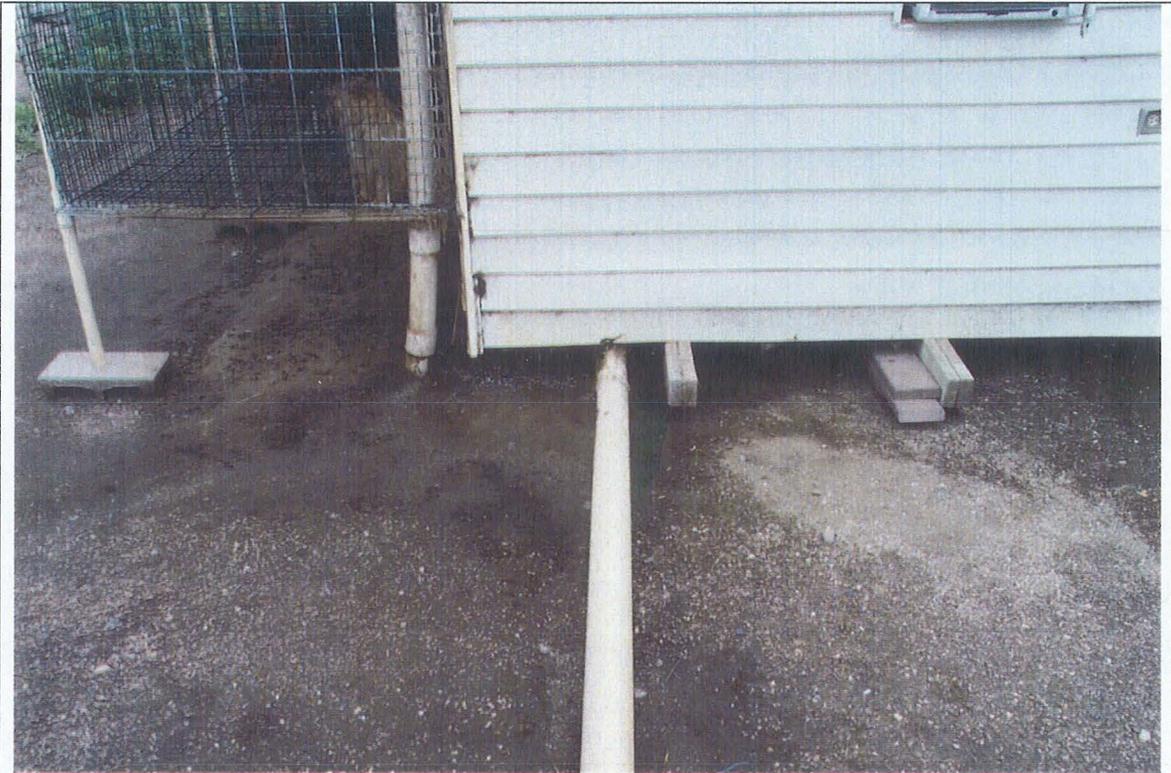
<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f) and 3.4(b)
<b>DESCRIPTION:</b>	This photo shows the need for proper drainage as there are standing puddles of water in the run. It also shows that there is not adequate housing for the size and number of dogs in the pen. There was only one house for these three large breed dogs. This is pen # 2 counting from the south end on the east side of the "Outback pens".
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f) and 3.4(b)
<b>DESCRIPTION:</b>	This is another view of pen # 2 counting from south end on the east side of the "Outback pens". It shows the need for proper drainage as there are puddles of water standing in the run and under the waterer. It also shows the lack of adequate housing for the number and size of dogs enclosed. Only one house was provided for these three large breed dogs.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f)
<b>DESCRIPTION:</b>	This photo is of pen # 1 counting from the south end on the east side of the "Outback pens". It shows the need for proper drainage as there are puddles of standing water in the run.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f) and 3.11 (c)
<b>DESCRIPTION:</b>	This photo was taken at the southwest corner of the "old sundowner" building. It shows lack of properly working drainage system and the pooling of waste and sewage from the kennel building. The area under the pipe where it connects to the building is water, feces and other wastes. The photo also shows the need to clean and remove this waste from the area.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f)
<b>DESCRIPTION:</b>	This photo was taken at the southeast corner of the "old sundowner" building. It is a close up view of the pooled wastes due to a improperly working drainage system.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f)
<b>DESCRIPTION:</b>	This photo was taken at the southwest corner of the "old sundowner" building. It is a close up view of the pooled wastes due to a improperly working drainage system.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f) and 3.11(c)
<b>DESCRIPTION:</b>	This photo was taken at the southwest corner of the "old sundowner" building. It shows the pooled feces and wastes collecting under the corner of the building and the drain pipes. It shows the lack of a properly working drainage system and the need to clean and remove these wastes from the area.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f) and 3.11(c)
<b>DESCRIPTION:</b>	This is another view from a distance of the back side of the "old sundowner" building. The photo shows the water and waste pooled under the middle drain pipe.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f)
<b>DESCRIPTION:</b>	This photo was taken on the southwest corner of the "old sundowner" building. The photo shows the lack of a properly working drainage and wash down system. The hair, feces and other wastes are flowing down the wall along the pen panel and into the pen below.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.1(f) and 3.11(c)
<b>DESCRIPTION:</b>	This photo was taken at the southeast corner of the "old sundowner" building. The photo shows the lack of a properly working drainage system. It also shows the need to clean up and remove this wastes from the area
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(b)
<b>DESCRIPTION:</b>	This is a photo of pen # 2 counting from the north end on the west side of the "broker building". It shows the dog is enclosed in an outdoor pen with no access to the inside nor access to a dog house.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(b)
<b>DESCRIPTION:</b>	This is a photo of pen # 2 counting from the north end on the west side of the "broker building". It shows the dog is enclosed in an outdoor pen with no access to the inside or access to a dog house. This photo also shows there is no dog door to the inside like the pen next to it.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(b)
<b>DESCRIPTION:</b>	This is a photo of pen # 2 counting from the south end on the west side of the "garage pens". It shows the need for additional housing as there was only one house for the three dogs enclosed.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(b)
<b>DESCRIPTION:</b>	This is a photo of pen # 6 counting from the south end on the west side of the "garage pens". It shows the need for additional housing as there was only one house for the four dogs enclosed.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(b)
<b>DESCRIPTION:</b>	This is another view of pen # 8 counting from the south end on the east side of the "Outback pens". This view shows the size of the house in comparison to the three dogs in this pen.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(b)
<b>DESCRIPTION:</b>	This photo is of pen # 8 counting from the south end on the east side of the "Outback pens". It shows the lack of adequate housing. One house was provided for the three dogs enclosed.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough

(b)(6),(7)c



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(b)
<b>DESCRIPTION:</b>	This is pen # 9 counting from the south end on the east side of the "Outback pens". It shows the lack of housing available to the three dogs in the pen as only one house was provided.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough

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Page 2 of 9  
APHIS FORM 7070 (MAR 95)



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(b)
<b>DESCRIPTION:</b>	This is another picture of pen # 9 counting from the south end on the east side of the "Outback pens". It shows the comparison of one of the three dogs in this pen to the size of the house that was available
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(b)
<b>DESCRIPTION:</b>	This is a photo of pen # 5 counting from the north end on the west side of the "broker building". It shows the dog is enclosed in an outdoor pen with no access to the inside or access to a dog house. This photo also shows there is no dog door to the inside.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(c)
<b>DESCRIPTION:</b>	This is a photo of pen # 1 of the "below the house" pens. It shows the large holes that need filled and maintained as well as the need for additional gravel.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(c)
<b>DESCRIPTION:</b>	This is a photo of pen # 1 of the "below the house" pens. It shows the large holes that need filled and maintained.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(c)
<b>DESCRIPTION:</b>	This is a photo of pen # 4 counting from the east side on the south side of the "garage pens". It shows the need for additional gravel to be added to the pens. It also shows the wet and soiled dogs.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(c)
<b>DESCRIPTION:</b>	This is a photo of pen # 4 counting from the east side on the south side of the "garage pens". It shows the need for additional gravel to be added to the pens. It also shows the wet and soiled dogs.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(c)
<b>DESCRIPTION:</b>	This is a photo of pen # 2 counting from the east end of the "East pens". It shows the large holes that need filled and maintained.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(c)
<b>DESCRIPTION:</b>	This is a photo of pen # 3 counting from the east end of the "East pens". It shows the large holes that need filled and maintained.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.6(a)(1)
<b>DESCRIPTION:</b>	This is a photo of the broken mesh in the expanded metal flooring in pen # 1 counting from the north on the west side of the "reefer building".
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



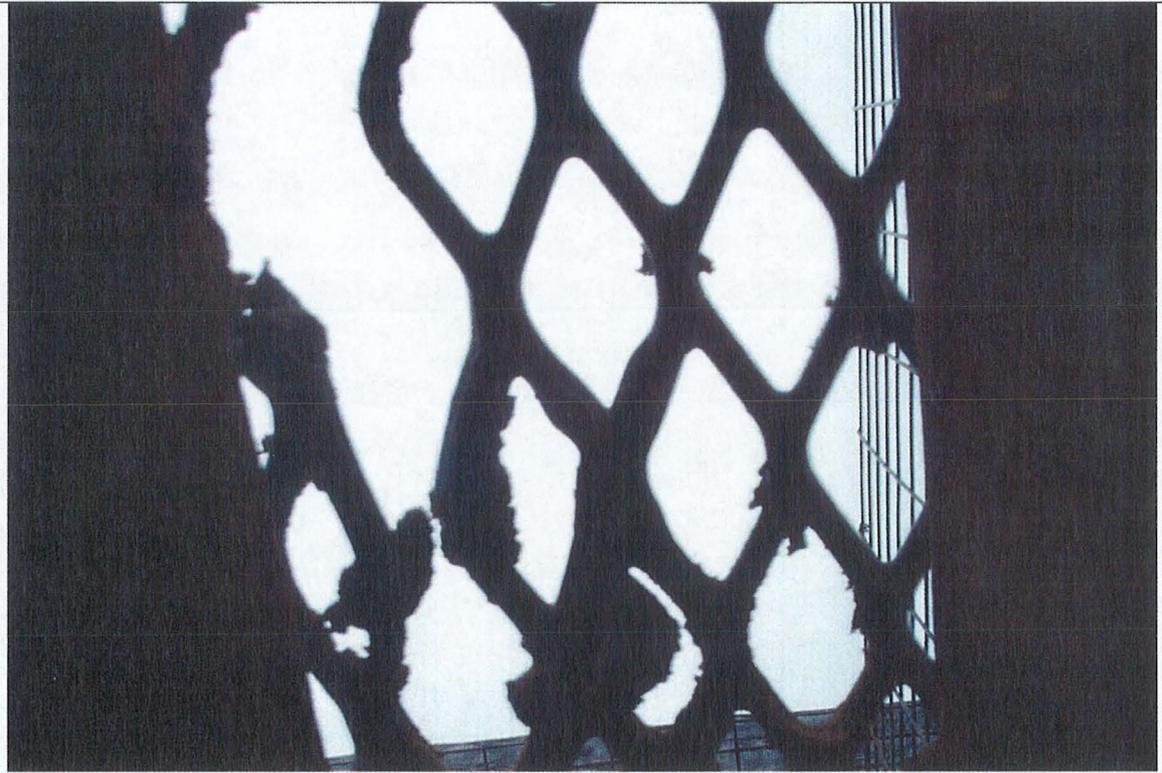
<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.6(a)(1)
<b>DESCRIPTION:</b>	This is a photo of the gap in the expanded metal flooring in pen # 4 counting from the north on the west side of the "reefer building".
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



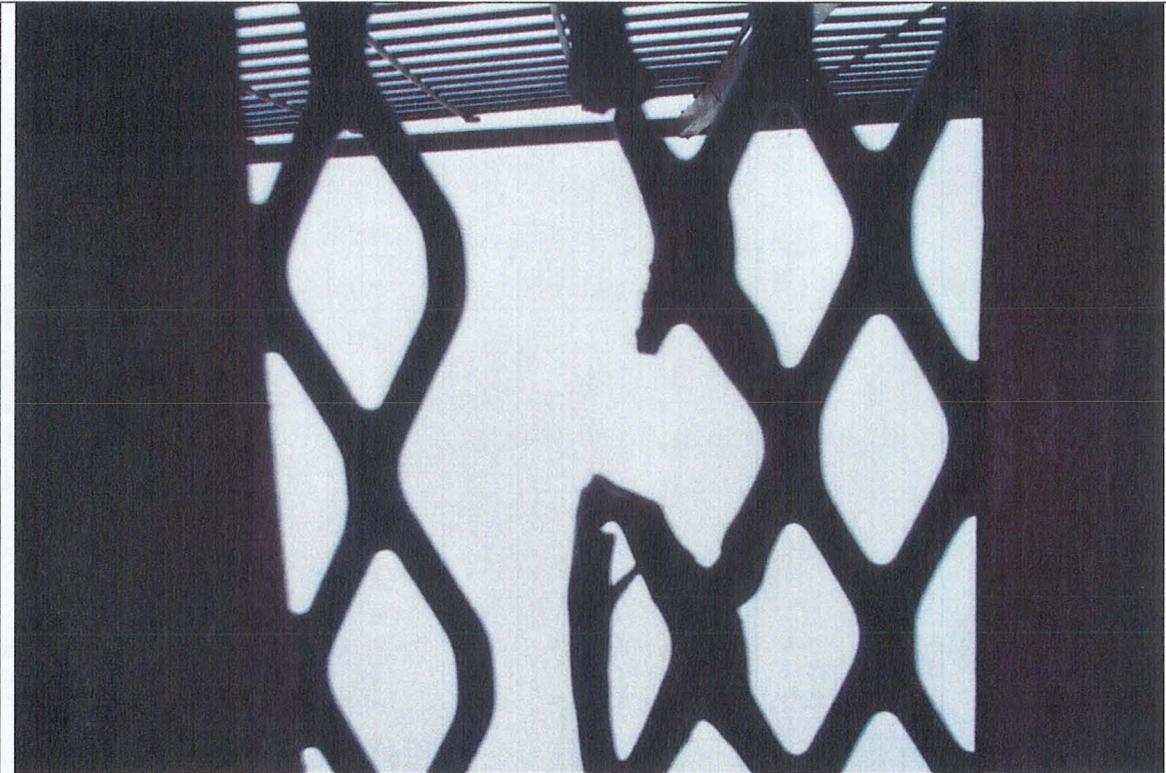
<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.6(a)(1)
<b>DESCRIPTION:</b>	This is a photo of the gap in the expanded metal flooring in pen # 4 counting from the north on the west side of the "reefer building".
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



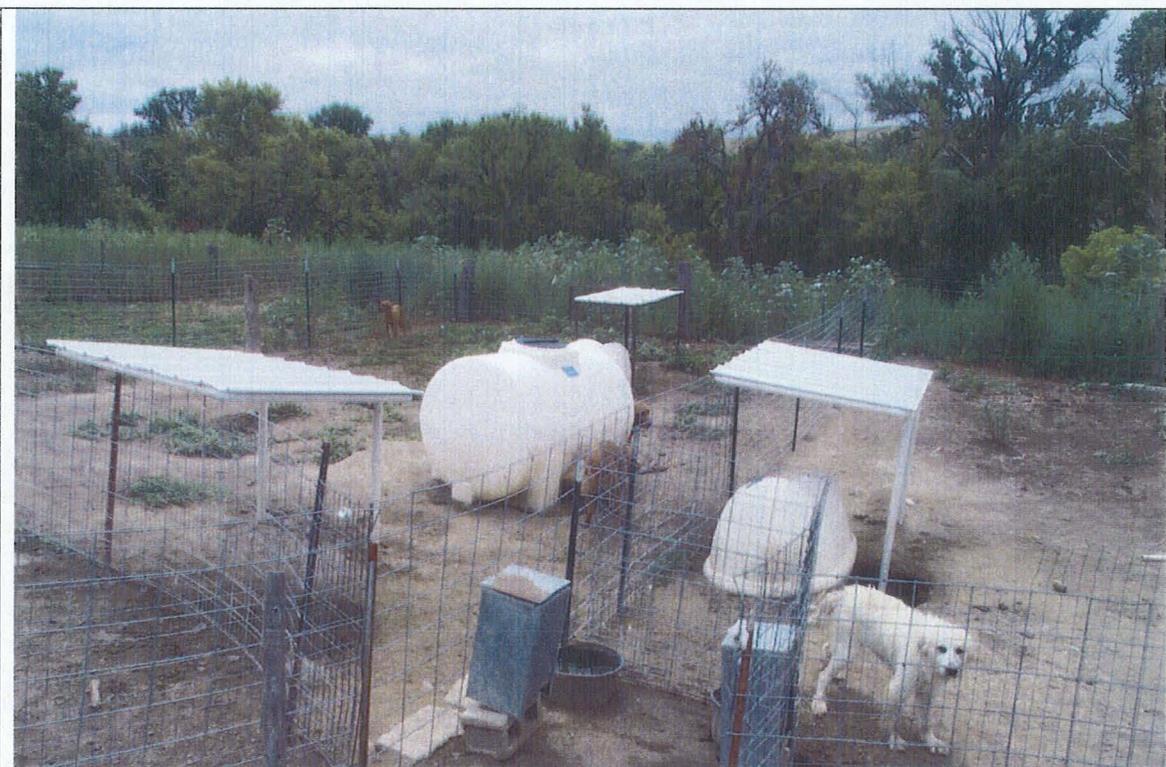
<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.6(a)(1)
<b>DESCRIPTION:</b>	This is a photo of the broken mesh in the expanded metal flooring in pen # 2 counting from the north on the west side of the "reefer building".
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.6(a)(1)
<b>DESCRIPTION:</b>	This is a photo from the underside of the flooring in pen # 1 counting from the north end on the west side of the "reefer building". It shows the hole in the expanded metal flooring.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.6(a)(1)
<b>DESCRIPTION:</b>	This is a photo from the underside of the flooring in pen # 2 counting from the north end on the west side of the "reefer building". It shows the hole in the expanded metal flooring.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(c) and 3.11(c)
<b>DESCRIPTION:</b>	This is a photo of pens # 3 and # 4 counting from the east end of the "East pens". It shows the large holes that need filled and maintained as well as the weeds that are in the pens.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(c) and 3.11(c)
<b>DESCRIPTION:</b>	This is a photo of pens # 3 and # 4 counting from the east end of the "East pens". It shows the large holes that need filled and maintained as well as the weeds that are in the pens.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough



<b>SUBJECT NAME:</b>	Jeff Fortin
<b>LICENSE/REGISTRATION #:</b>	48B0225
<b>9 CFR SECTION #:</b>	3.4(c) and 3.11(c)
<b>DESCRIPTION:</b>	This is a photo of pens # 1 and # 2 counting from the east end of the "East pens". It shows the large holes that need filled and maintained as well as the weeds that are in the pens.
<b>DATE:</b>	07-26-2005
<b>PHOTOGRAPHER:</b>	Faron Greenough

Date 12-11-02 Time 2:00 PM

STATE OF KANSAS  
PET ANIMAL  
PREMISE INSPECTION

Routine  Initial  
 Complaint  Re-inspection  
 \_\_\_\_\_

USDA # 48 B-025 Expires 2-18-03

(785) 296-2326 / FAX (785) 296-1765

AB <u>164</u>	RB	PET	P/S	HK	B/T	RES
---------------	----	-----	-----	----	-----	-----

NAME Lizann & Jeff FACILITY NAME 4-10 Best Pets  
ADDRESS RI 3 Box 45 PHONE (785) 475-3139  
CITY Oberlin, KS COUNTY Decatur ZIP 67749 D/H AVAIL 11:00-5 Wed-Th-Fri

ANIMALS BREED: \_\_\_\_\_ adults \_\_\_\_\_ litters \_\_\_\_\_ # BREED: \_\_\_\_\_ adults \_\_\_\_\_ litters \_\_\_\_\_ #  
 ON BREED: \_\_\_\_\_ adults \_\_\_\_\_ litters \_\_\_\_\_ # BREED: \_\_\_\_\_ adults \_\_\_\_\_ litters \_\_\_\_\_ #  
 HAND BREED: \_\_\_\_\_ adults \_\_\_\_\_ litters \_\_\_\_\_ # BREED: \_\_\_\_\_ adults \_\_\_\_\_ litters \_\_\_\_\_ #  
 BREED: \_\_\_\_\_ adults \_\_\_\_\_ litters \_\_\_\_\_ # BREED: \_\_\_\_\_ adults \_\_\_\_\_ litters \_\_\_\_\_ #  
 birds \_\_\_\_\_ reptile/amph \_\_\_\_\_ sm furry \_\_\_\_\_ exotic \_\_\_\_\_ pocket \_\_\_\_\_ other \_\_\_\_\_

600 total adult dogs

FACILITIES INDOOR SHELTERED OUTDOOR

1) CONSTRUCTION: <u>Melts</u>	<u>See CA-3</u>	<u>Melts</u>
2) SURFACES: <u>See CA-3</u>	<u>Melts</u>	<u>See CA-3</u>
3) SHELTER: <u>Melts</u>		<u>See CA-3</u>
4) MAINTENANCE: <u>See CA-3</u>	<u>See CA-3</u>	<u>See CA-3</u>
5) SANITATION: <u>↓</u>	<u>↓</u>	<u>↓</u>
6) DRAINAGE: <u>Melts</u>	<u>Melts</u>	<u>Melts</u>
7) SPACING: <u>↓</u>	<u>↓</u>	<u>↓</u>
8) CLASSIFICATION: <u>↓</u>	<u>↓</u>	<u>↓</u>
9) SEPARATION: <u>↓</u>	<u>↓</u>	<u>↓</u>
10) WATER & ELECTRIC: <u>↓</u>	<u>↓</u>	<u>↓</u>
11) LIGHT / DARK: <u>↓</u>	<u>↓</u>	<u>↓</u>
12) HEATING/COOLING: <u>↓</u>	<u>↓</u>	<u>↓</u>
13) VENTILATION: <u>↓</u>	<u>↓</u>	<u>↓</u>
14) WASTE DISPOSAL: <u>See CA-3</u>	<u>See CA-3</u>	<u>See CA-3</u>
15) FOOD STORAGE: <u>↓</u>	<u>↓</u>	<u>↓</u>

HEALTH & HUSBANDRY

16) FEEDING: <u>Melts</u>	<u>Melts</u>	<u>Melts</u>
17) WATERING: <u>↓</u>	<u>↓</u>	<u>↓</u>
18) CLEANING: <u>See CA-3</u>	<u>See CA-3</u>	<u>Melts</u>
19) HOUSEKEEPING: <u>↓</u>	<u>↓</u>	<u>↓</u>
20) PEST CONTROL: <u>↓</u>	<u>↓</u>	<u>↓</u>
21) ANIMAL APPEARANCE: <u>Melts</u>	<u>Melts</u>	<u>Melts</u>
22) EXERCISE: <u>↓</u>	<u>↓</u>	<u>↓</u>
23) *IDENTIFICATION: <u>USDA</u>		
24) *VET CARE PROGRAM: <u>USDA</u>	VETERINARIAN: <u>(b)(6),(b)(7)c</u>	
25) *EUTHANASIA: <u>NA</u>	26) *SPAY/NEUTER DEPOSIT: <u>NA</u>	

RECORDS: \_\_\_\_\_ SELLS TO: Pet Shops

Signatur (b)(6),(b)(7)c Inspector Bartholomew  
 PASS  FAIL





STATE OF KANSAS

Animal Health Department

INSPECTION OF ANIMAL WELFARE LICENSEES

Name & Address of facility:

Name: Lizam & Jeff Farlin
Address:
City:
Phone No.
Zip Code
Area Code

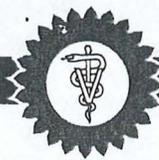
Date: 12-11-02
Initial
Routine
Special
County: Decatur
License No.
Code: #1 A&B, #2 NFL, #3 PET, #4 P&S, #5 R, #6 HB
Person Interviewed: Lizam
Position: Owner

Lizam & Jeff have just lost all their help except Sat-Sun help. They've hired a couple to start tomorrow, they're moving into the trailer house now.

GOVERNMENT EXHIBIT 17 Page 2 of 24 APHS FORM 7070 (MAR 95)

(b)(6),(b)(7)c

Inspector's Signature: D. McPae



Animal Health Department

ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lizann / Jeff Fortin Type AB  
 Address Overlin County Decatur  
 Establishment Number \_\_\_\_\_ and/or License Number (if licensed) \_\_\_\_\_  
 Prospective Licensee \_\_\_\_\_

Prepared by D. McRae (Signature)  
 Owner   
 Manager   
 Agent  (b)(6),(b)(7)c (Signature)

Item	Date of Conference	Date Agreed Upon	Date Accomplished
⑨ Add more bedding for the beagles & other short hair dogs	12-11-02	Immediately	
⑧ Keep lid on food	12-11-02		
⑨ Keep food in closed container to keep from being contaminated	12-11-02		
⑩ Scrub floors in brooder house.	12-11-02		
⑪ Feet through floor in several places puppies in Sundowner	12-11-02		

GOVERNMENT EXHIBIT  
 17  
 Page 3 of 24  
 APHIS FORM 7070 (MAR 95)



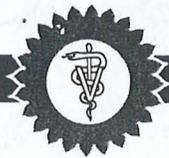
Animal Health Department  
ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lizann/Jeff Fortin Type AB.  
Address Aberlin County Decatur  
Establishment Number \_\_\_\_\_ and/or License Number (if licensed) \_\_\_\_\_  
Prospective Licensee \_\_\_\_\_

Prepared by D. McRae (Signature)  
Owner   
Manager   
Agent  (b)(6),(b)(7)c (Signature)

Item	Date of Conference	Date Agreed Upon	Date Accomplished
(12) Repair metal around ingress doors that's rusty and broken - green bldg	12-11-02	60 days	
(13) Strong ammonia smell in broker house	12-11-02	Immediately	
(14) Repair chewed floor in Boston pen in broker house.	12-11-02	30 days	
(15) Two poodles need moved to taller kennel - doesn't have 6 inches above head stackable - Lewis	12-11-02	Immediately	
(16) Keep working on Mice	12-11-02	On Going	

GOVERNMENT EXHIBIT  
17  
Page 4 of 24  
APHIS FORM 7070 (MAR 95)



Animal Health Department
ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lizann Jartin Type AB - 164
Address Rt. 3 Box 45 Oberlin, KS County Decatur
Establishment Number and/or License Number (if licensed)
Prospective Licensee

Prepared by Dorothy McRae (Signature)
Owner [checked]
Manager [ ]
Agent [ ] (b)(6),(b)(7)c (Signature)

Table with 4 columns: Item, Date of Conference, Date Agreed Upon, Date Accomplished. Contains 6 rows of handwritten entries regarding animal housing repairs and maintenance.

GOVERNMENT EXHIBIT 17 Page 5 of 24 APHIS FORM 7070 (MAR 95)



# STATE OF KANSAS

## Animal Health Department ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lizanne Fortier Type A  
 Address O Belin County Decatur  
 Establishment Number \_\_\_\_\_ and/or License Number (if licensed) A 164  
 Prospective Licensee \_\_\_\_\_

Prepared by [Signature] (Signature)  
 Owner   
 Manager   
 Agent  (b)(6),(b)(7)c (Signature)

Item	Date of Conference	Date Agreed Upon	Date Accomplished
① Shade - All outdoor pens must have shade areas large enough to accommodate all dogs comfortably. ei: Boxers, Labs Huskys Wheats	8-20-03	① Immediately	
② Maintenance - Cover all wire panels used to prevent digging to prevent possible injuries ei: sand, gravel etc. * Also cover enough + completely to avoid sections sticking up out of cover.		② 9-20-03	
③ Shelter - All pens must have doghouses big enough to house all dogs in normal pasture or add houses as needed	8-20-03	③ 9-20-03	

GOVERNMENT EXHIBIT  
 17  
 Page 6 of 24  
 APHIS FORM 7070 (MAR 95)



Animal Health Department
ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lijane Fortin Type A
Address O'Brien County
Establishment Number and/or License Number (if licensed) A164
Prospective Licensee

Prepared by [Signature] (Signature)

Owner [X]
Manager [ ]
Agent [ ] (b)(6),(b)(7)c (Signature)

Table with 4 columns: Item, Date of Conference, Date Agreed Upon, Date Accomplished. Contains handwritten notes about animal housing and sanitation.





Animal Health Department

ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lizanne Fortin Type A

Address Oberlin County \_\_\_\_\_

Establishment Number \_\_\_\_\_ and/or License Number (if licensed) 164

Prospective Licensee \_\_\_\_\_

Owner

Manager

Agent

Prepared by [Signature]  
(Signature)

(b)(6),(b)(7)c  
U (Signature)

Item	Date of Conference	Date Agreed Upon	Date Accomplished
⑤ Maintenance - Repair replace Hair/Screen patch in outside pen on Lewis Bldg, Fix or replace siding on New Bldg by white Schnauzer pen - Replace/repair her dog (white Schnauzer) Replace any feeders with <del>rust</del> rust - ei: One feeder (Schnauzers) has damage along bottom do to contact with urine from male dog.	8-20-03	⑤ 9-20-03	
⑥ Brokerage Bldg - need to paint wood panels on floor pens. for proper cleaning	8-20-03	9-20-03	

Call in Delmar Farrow  
Hole/cave



Date 11-12-03 Time 4:05

STATE OF KANSAS  
PET ANIMAL  
PREMISE INSPECTION

[ ] Routine [ ] Initial  
[ ] Complaint [X] Re-inspection  
[ ] \_\_\_\_\_

(785) 296-2326 / FAX (785) 296-1765

USDA.# \_\_\_\_\_ Expires \_\_\_\_\_

AB <u>164</u>	RB	PET	P/S	HK	B/T	RES
---------------	----	-----	-----	----	-----	-----

NAME Lynn Foltz FACILITY NAME \_\_\_\_\_  
 ADDRESS R 3 Bx 45  
 CITY Oberlin COUNTY Dodge ZIP \_\_\_\_\_ PHONE (85) 475-3139  
 D/H AVAIL Thurs. Post.

ANIMALS	BREED:	adults	litters	#	BREED:	adults	litters	#
ON	BREED:	adults	litters	#	BREED:	adults	litters	#
HAND	BREED:	adults	litters	#	BREED:	adults	litters	#
	BREED:	adults	litters	#	BREED:	adults	litters	#
	birds	reptile/amph	sm furry	exotic	pocket	other		

FACILITIES	INDOOR	SHELTERED	OUTDOOR
1) CONSTRUCTION	<u>meets</u>	<u>meets</u>	<u>meets</u>
2) SURFACES:			<u>meets</u>
3) SHELTER:			<u>C-3</u>
4) MAINTENANCE:			<u>C-3</u>
5) SANITATION:			<u>meets</u>
6) DRAINAGE:			
7) SPACING:			
8) CLASSIFICATION:			
9) SEPARATION:			
10) WATER & ELECTRIC:			
11) LIGHT / DARK:			
12) HEATING/COOLING:			<u>Lots of Hay in Boxes!</u>
13) VENTILATION:			
14) WASTE DISPOSAL:		<u>X</u>	
15) FOOD STORAGE:	<u>meets</u>	<u>meets</u>	<u>meets</u>

HEALTH & HUSBANDRY

16) FEEDING:	<u>meets</u>	<u>meets</u>	<u>meets</u>
17) WATERING:			
18) CLEANING:			
19) HOUSEKEEPING:			
20) PEST CONTROL:			
21) ANIMAL APPEARANCE:			
22) EXERCISE:			
23) *IDENTIFICATION:		<u>meets</u>	<u>meets</u>
24) *VET CARE PROGRAM:	<u>USDA</u>	VETERINARIAN:	<u>Randy Leska - Oberlin</u>
25) *EUTHANASIA:		26) *SPAY/NEUTER DEPOSIT:	<u>_____</u>



RECORDS: USDA SELLS TO: Pet Stores

Signature: \_\_\_\_\_ (b)(6),(b)(7)c Inspector: [Signature]

[ ] PASS [X] FAIL



STATE OF KANSAS

Animal Health Department

ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lynn Forten Type A

Address 0 Belton County DC

Establishment Number \_\_\_\_\_ and/or License Number (if licensed) \_\_\_\_\_

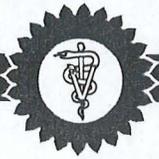
Prospective Licensee \_\_\_\_\_

Prepared by L. Harrington  
(Signature)

Owner   
Manager   
Agent  Rebecca Fortin  
(Signature)

Item	Date of Conference	Date Agreed Upon	Date Accomplished
② Wind/Rain Breaks needed on any/all open front doghouses - on face second house toward 1st house, face house into solid barrier i.e. wall or tarp or panel that is taller than doghouse	11-12-03	12-15-03	
③ Cattle panel fencing - must prevent dog from sticking head thru' squares by using secondary wire or small square panels.		12-15-03	
④ Reattach front panel to Quonset hut w/ Art Purenese *Springtime will need to cut weeds, tall grass back from fencing 20ft/st.Bs.	11-12-03	12-15-03	

GOVERNMENT EXHIBIT 17 Page 10 of 24 APHIS FORM 7070 (MAR 95)



Animal Health Department

ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lizanne Fortin Type A  
 Address Oberlin County DC  
 Establishment Number \_\_\_\_\_ and/or License Number (if licensed) A164  
 Prospective Licensee \_\_\_\_\_

Prepared by Pat Huntington (Signature)  
 Owner   
 Manager   
 Agent  (b)(6),(b)(7)c (Signature)

Item	Date of Conference	Date Agreed Upon	Date Accomplished
Reinspection from 8-20-03	11-12-03		
Items 1, 2, 4, 5, + 6 have been corrected.			
Ref # 1 - SHADe - in Spring - make note of WHERE SUN SHINES - to facilitate MAXIMUM shade cover effect.			
AS of 11-12-03			
① Shelter - Doghouses needed in pens with multiple dogs such as cockers w/ 1 basset, Scottie		12-15-03	
48 / small short barrel w/ 2 Adult Scotties, Ger			
short hair - young adults 3 to one dog; etc	11-12-03		

GOVERNMENT EXHIBIT 17  
 Page 11 of 24  
 APHIS FORM 7070 (MAR 99)

Cell # 475-4103

A-5 (3/2000)

Date 8-20-03 Time 2P

STATE OF KANSAS  
PET ANIMAL  
PREMISE INSPECTION  
(785) 296-2326 / FAX (785) 296-1765

[ ] Routine [ ] Initial  
[ ] Complaint [X] Re-inspection  
[ ] \_\_\_\_\_

USDA. # B0225 Expires 2-8-04

AB <u>164</u>	RB	PET	P/S	HK	B/T	RES
---------------	----	-----	-----	----	-----	-----

NAME Leyann Forker FACILITY NAME \_\_\_\_\_  
 ADDRESS RT 3 Box 95 PHONE (785) 475 3139 or 2908  
 CITY Oberlin COUNTY Decatur ZIP \_\_\_\_\_ D/H AVAIL Wed-Friday 10:00 →

ANIMALS ON HAND	BREED:	adults	litters	#	BREED:	adults	litters	#
	BREED:	adults	litters	#	BREED:	adults	litters	#
	BREED:	adults	litters	#	BREED:	adults	litters	#
	BREED:	adults	litters	#	BREED:	adults	litters	#
<u>600+ Total</u>	birds	reptile/amph	sm furry	exotic	pocket	other		

FACILITIES	INDOOR	SHELTERED	OUTDOOR
1) CONSTRUCTION:	<u>meets</u>	<u>meets</u>	<u>meets</u>
2) SURFACES:		<u>meets</u>	<u>CA-3</u>
3) SHELTER:		<u>meets</u>	<u>CA-3</u>
4) MAINTENANCE:		<u>CA-3</u>	<u>meets</u>
5) SANITATION:		<u>meets</u>	<u>meets</u>
6) DRAINAGE:			<u>meets</u>
7) SPACING:			<u>CA-3</u>
8) CLASSIFICATION:			<u>meets</u>
9) SEPARATION:			<u>meets</u>
10) WATER & ELECTRIC:			
11) LIGHT / DARK:			<u>meets</u>
12) HEATING/COOLING:			<u>CA-3</u>
13) VENTILATION:			<u>meets</u>
14) WASTE DISPOSAL:		<u>meets</u>	
15) FOOD STORAGE:		<u>semi trailer</u>	<u>meets</u>

HEALTH & HUSBANDRY	INDOOR	SHELTERED	OUTDOOR
16) FEEDING:	<u>meets</u>	<u>meets</u>	<u>meets</u>
17) WATERING:			<u>meets</u>
18) CLEANING:			<u>CA-3 (JRTBK)</u>
19) HOUSEKEEPING:			<u>meets</u>
20) PEST CONTROL:			<u>meets</u>
21) ANIMAL APPEARANCE:			
22) EXERCISE:			
23) *IDENTIFICATION:		<u>micro-chipped</u>	
24) *VET CARE PROGRAM:	<u>USDA</u>	VETERINARIAN: <u>R. Laska - Oberlin</u>	
25) *EUTHANASIA:	<u>by vet</u>	26) *SPAY/NEUTER DEPOSIT:	<u>na</u>

RECORDS: USDA SELLS TO: Pet Stores  
 Signature: \_\_\_\_\_ Inspector: Pat Harrington  
 [ ] PASS [X] FAIL



Date: 8-19-04 Time 8A

STATE OF KANSAS  
PET ANIMAL

[ ] Routine [ ] Initial  
[ ] Complaint [X] Re-inspection  
[ ] \_\_\_\_\_

USDA # B0225 Expires 2-18-05 PREMISE INSPECTION  
(785) 296-2326 / FAX (785) 296-1765

AB 164 RB PET P/S HK B/T RES

NAME Lynn Fortin FACILITY NAME Beaver Creek Kennel  
ADDRESS Rt 3 Box 45 PHONE (785) 775-3139  
CITY Berlin COUNTY Decatur ZIP 67747 D/H AVAIL \_\_\_\_\_

ANIMALS ON HAND 100+  
BREED: most breeds litters # BREED: \_\_\_\_\_ adults litters #  
BREED: larger adults litters # BREED: \_\_\_\_\_ adults litters #  
BREED: small adults litters # BREED: \_\_\_\_\_ adults litters #  
BREED: \_\_\_\_\_ adults litters # BREED: \_\_\_\_\_ adults litters #  
birds reptile/amph sm furry exotic pocket other

FACILITIES	INDOOR <u>weaning trailer</u>	SHELTERED	OUTDOOR
1) CONSTRUCTION:	<u>meets</u>	<u>CA-3</u>	<u>CA-3</u>
2) SURFACES:		<u>meets</u>	<u>CA-3</u>
3) SHELTER:		<u>meets</u>	<u>CA-3</u>
4) MAINTENANCE:		<u>CA-3</u>	<u>CA-3</u>
5) SANITATION:		<u>CA-3</u>	<u>meets</u>
6) DRAINAGE:		<u>CA-3</u>	<u>meets</u>
7) SPACING:		<u>CA-3</u>	<u>meets</u>
CLASSIFICATION:		<u>meets</u>	<u>meets</u>
SEPARATION:			
8) WATER & ELECTRIC:			
9) LIGHT / DARK:			
10) HEATING/COOLING:			
VENTILATION:			
WASTE DISPOSAL:			
FOOD STORAGE:	<u>meets</u>	<u>meets</u>	<u>meets</u>

ALTH & HUSBANDRY

FEEDING:	<u>meets</u>	<u>meets</u>	<u>meets</u>
WATERING:		<u>meets</u>	<u>meets</u>
CLEANING:		<u>meets</u>	<u>CA-3</u>
HOUSEKEEPING:			<u>meets</u>
PEST CONTROL:			<u>meets</u>
ANIMAL APPEARANCE:		<u>CA-3 grooming</u>	<u>CA-3 fly strikes</u>
EXERCISE:			<u>meets</u>

IDENTIFICATION: meets micro-chipped  
VET CARE PROGRAM: USDA NS VETERINARIAN: R. Leska-Oberler  
EUTHANASIA: by vet 26)\*SPAY/NEUTER DEPOSIT: Na  
ORDERS: USDA NS SELLS TO: Pets Stores





STATE OF KANSAS

Animal Health Department
ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lyann Forten Type A
Address Oberlin County DC
Establishment Number and/or License Number (if licensed)
Prospective Licensee

Prepared by Paul Harrington (Signature)

Owner [ ]
Manager [ ]
Agent [ ] (b)(6),(b)(7)c (Signature)

Table with 4 columns: Item, Date of Conference, Date Agreed Upon, Date Accomplished. Contains handwritten notes on fencing, pest control, and sand/dirt.





STATE OF KANSAS

Animal Health Department
ESTABLISHMENT WORK PROGRESS SHEET

Establishment Mann Fortin Type A
Address Berlin County DC
Establishment Number and/or License Number (if licensed)
Prospective Licensee

Prepared by [Signature] (Signature)

Owner [ ]
Manager [ ]
Agent [ ] (b)(6),(b)(7)c (signature)

Table with 4 columns: Item, Date of Conference, Date Agreed Upon, Date Accomplished. Row 1: (4) Sanitation - Raised Runs - Clean exterior pen flooring more often - fecal build-up + smeared feces need removed as often as needed to keep conditions sanitary (i.e. new Smith Runs, Lewis Bldg). Row 2: (5) DRAINAGE - Lewis Bldg - underneath - pipe has come apart creating sewage 'pool' underneath bldg - Reattach. 'New' Sundowner - need to pipe out waste away from bldg to prevent odors + fly prevention.

GOVERNMENT EXHIBIT 17 Page 15 of 24 APHIS FORM 7070 (MAR 95)



STATE OF KANSAS

Animal Health Department
ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lyan Foster Type A
Address O Berlin County DC
Establishment Number and/or License Number (if licensed)
Prospective Licensee

Prepared by Cat Harrington (Signature)
Owner [ ]
Manager [ ]
Agent [ ] (b)(6), (b)(7)c (Signature)

Table with 4 columns: Item, Date of Conference, Date Agreed Upon, Date Accomplished. Contains handwritten notes on dog shelter conditions, appearance issues, grooming, and maintenance.

GOVERNMENT EXHIBIT 17 Page 16 of 24 APHIS FORM 7070 (MAR 95)

James AS # 11 maintenance



# STATE OF KANSAS

## Animal Health Department

### ESTABLISHMENT WORK PROGRESS SHEET

Establishment Innann Forten Type A  
 Address Berlin County DC  
 Establishment Number \_\_\_\_\_ and/or License Number (if licensed) \_\_\_\_\_  
 Prospective Licensee \_\_\_\_\_

Prepared by Pat Harrington (Signature)  
 Owner   
 Manager   
 Agent  (b)(6),(b)(7)c

Item	Date of Conference	Date Agreed Upon	Date Accomplished
ⓑ Mangled haul screen used on dunder panel (4th pen from south E side)	8-19-04	LATER THAN 9-19-04	
Ⓒ Repair front of houses in Outback area where dogs have chewed holes in wood (w/kybud + yel. lbs)			
Ⓓ Hole needs repaired inside Bassett house along garage area			
Ⓔ Fix/reattach top of feeder in Aussie pen NE pen			
Ⓕ JACK Bldg check/repair all nipples on auto water line - dripping			
Creating wet pen area for Scotties + JRT (EAST side)			
Ⓖ West side - Clean dirt/grime from exterior bldg - repaint if needed.	8-19-04	9-19-04	

GOVERNMENT EXHIBIT  
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 Page 17 of 24  
 APHIS FORM 7070 (MAR 95)



# STATE OF KANSAS

## Animal Health Department

### ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lynn Fortin Type A  
 Address O Berlin County DC  
 Establishment Number \_\_\_\_\_ and/or License Number (if licensed) \_\_\_\_\_  
 Prospective Licensee \_\_\_\_\_

Owner   
 Manager   
 Agent  (b)(6),(b)(7)c

Prepared by Pat Harrington  
 (Signature)

1st Bldg Cont

Item	Date of Conference	Date Agreed Upon	Date Accomplished
(C) Clean interior boxes of dirt/grime New Bldg - East side - Sanitation - Nursing mother pens - Exterior feces needs removed more frequently to eliminate build-up, fly control, maintain sanitary conditions	8-19-04	Later Than 9-19-04	
BK of 'New' Bldg - Spacing/overcrowding Pen size 33w X 40long has 4 adult Bichon bumping into each other when trying to maneuver -need to reduce # of dogs in pen.	8-19-04	9-19-04	8-19-04 Moved 1 Bichon at Inspection





# STATE OF KANSAS

## Animal Health Department

### ESTABLISHMENT WORK PROGRESS SHEET

Establishment Lynn Fortin Type A

Address Berlin County DeCatur

Establishment Number \_\_\_\_\_ and/or License Number (if licensed) \_\_\_\_\_

Prospective Licensee \_\_\_\_\_

Prepared by [Signature]  
(Signature)

Owner

Manager

Agent

(b)(6),(b)(7)c  
U (Signature)

Item	Date of Conference	Date Agreed Upon	Date Accomplished
(D) Cont - The Bichon ten has broken divider wire - exterior pen - Replace.	8-19-04	9-19-04	
"New" Sundowner (12) Spacing (A) IGS on East side - lacking 6 inch headspace - need to move to taller pen (B) overcrowding - 3 adult Cairns SE corner top Pen - 28 x 36 pen - not enough room for all dogs to be able to move about freely - move to bigger pen or reduce # of dogs.	8-19-04	9-19-04	

GOVERNMENT EXHIBIT  
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APHIS FORM 7070 (MAR 05)

Date 7-26-05 Time 9:15

STATE OF KANSAS

PET ANIMAL

PREMISE INSPECTION

(785) 296-2326 / FAX (785) 296-1765

Routine  Initial  
 Complaint  Re-inspection  
 \_\_\_\_\_

USDA # 48B0225 Expires 2-18-06

AB <u>164</u>	RB	PET	P/S	HK	B/T	RES
---------------	----	-----	-----	----	-----	-----

NAME Jeff + Lizann Fortin FACILITY NAME \_\_\_\_\_  
 ADDRESS Rt 3 Box 75  
 CITY Oberlin COUNTY Decatur ZIP 67749 PHONE ( ) \_\_\_\_\_  
 D/H AVAIL M-W 8-11

ANIMALS BREED: 79 ± Adults litters # BREED: \_\_\_\_\_ adults litters #  
 ON BREED: 265 pups adults litters # BREED: \_\_\_\_\_ adults litters #  
 HAND most BREED: \_\_\_\_\_ adults litters # BREED: \_\_\_\_\_ adults litters #  
 Breeds BREED: \_\_\_\_\_ adults litters # BREED: \_\_\_\_\_ adults litters #  
 f + sm birds reptile/amph sm furry exotic pocket other

FACILITIES	INDOOR	SHELTERED	OUTDOOR
1) CONSTRUCTION	<u>meets</u>	<u>C4-3</u>	<u>C4-3</u>
2) SURFACES:	↓	<u>meets</u>	<u>C4-3</u>
3) SHELTER:	↓	↓	<u>C4-3</u>
4) MAINTENANCE:	↓	↓	<u>C4-3</u>
5) SANITATION:	↓	<u>meets</u>	<u>C4-3</u>
6) DRAINAGE:	<u>meets</u>	<u>C4-3</u>	<u>meets</u>
7) SPACING:	<u>C4-3</u>	<u>meets</u>	* <u>C4-3</u>
8) CLASSIFICATION:	<u>meets</u>	↓	<u>meets</u>
9) SEPARATION:	↓	↓	↓
10) WATER & ELECTRIC:	↓	↓	↓
11) LIGHT / DARK:	↓	↓	↓
12) HEATING/COOLING:	↓	↓	↓
13) VENTILATION:	↓	↓	↓
14) WASTE DISPOSAL:	↓	↓	↓
15) FOOD STORAGE:	<u>meets</u>	<u>meets</u>	<u>meets</u>

HEALTH & HUSBANDRY

16) FEEDING: meets      meets      meets  
 17) WATERING: ↓      ↓      ↓  
 18) CLEANING: ↓      ↓      meets  
 19) HOUSEKEEPING: ↓      ↓      C4  
 20) PEST CONTROL: meets      ↓      m  
 21) ANIMAL APPEARANCE: \* meets      ↓      \* m  
 22) EXERCISE: meets      meets      ↓  
 23) \*IDENTIFICATION: micro chipped →      meets  
 24) \*VET CARE PROGRAM: USDA Exp. 3-30-04 VETERINARIAN: (b)(6),(b)(7)c  
 25) \*EUTHANASIA: by vet      26) \*SPRAY/NEUTER DEPOSIT: na

RECORDS: USDA SELLS TO: Pet Stores

Signature \_\_\_\_\_ Inspector Patch Harrison

PASS  FAIL



STATE OF KANSAS  
ANIMAL HEALTH DEPARTMENT  
ESTABLISHMENT WORK PROGRESS SHEET

Establishment Jeff Forten, Lignano Type \_\_\_\_\_

Address: \_\_\_\_\_ County \_\_\_\_\_

Establishment number \_\_\_\_\_ and/or License Number (if licensed) \_\_\_\_\_

Prospective Licensee \_\_\_\_\_

Owner

Manager

Agent

Prepared by L. Harrington  
(Signature)

(b)(6),(b)(7)c

Item #	Date of Conference	Date Agreed Upon	Date Accomplished
<p>① Construction - Secondary wire is needed to prevent dog heads going thru fencing + to prevent other animals access to pens. This includes but not limited to - West Ground Pens - Golden Retrv. - along bottom of fencing - large squares need secondary wire, husky pens - door panel etc. East line out Back area Foodles + Golden Back fence panel.</p>	7-26-05	8-26-05	
<p>② New Bldg - outside whelp pens both sides - Need to secure pens to support panels to ensure no accidental tip overs</p>	7-26-05	8-26-05	
<p>③ Surfaces - Garage Pens shelter - Add more sand, gravel, etc. Pen is wet, dogs muddy - may come from rainwater off roof of garage, or add some type of roof</p>	7-26-05	8-26-05	

GOVERNMENT EXHIBIT  
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 APHIS FORM 7070 (MAR 05)

STATE OF KANSAS  
ANIMAL HEALTH DEPARTMENT  
ESTABLISHMENT WORK PROGRESS SHEET

Establishment Jeffrey Zygm Forter Type \_\_\_\_\_  
 Address: Berlin County \_\_\_\_\_  
 Establishment number \_\_\_\_\_ and/or License Number (if licensed) \_\_\_\_\_  
 Prospective Licensee \_\_\_\_\_  
 Prepared by Pat Harrington (Signature) Owner   
 Manager   
 Agent  (b)(6),(b)(7)c (Signature)

Item	Date of Conference	Date Agreed Upon	Date Accomplished
<p>③ Shelter - All pens must provide shelter for all dogs in pen. Several pens did not provide enough doghouses to shelter all dogs in pens. Examples - Elevated tree line area - 4 lab pups 1 beagle 1 adult lab had <del>two</del> doghouse for 6 dogs, 2 St Bernards - one doghouse <del>at</del> Eastline Outback - 8 Pit + Golden. etc.</p> <p>④ Maintenance - Several doghouses in West ground pens + Eastline outback have areas of holes, cracks break down of wood or metal - e.g. - ridgeback house front fallen out, husky pen - side + bottom of house broken - light shines <del>in</del> thru'. etc.</p> <p>⑤ Need to check for or replace auto water lines for pin size holes, leaking water from joints or nipples etc. ⑥ fill in holes dug by dogs (some are "dog size") ⑦ Remove metal fence post to prevent poss injury in Eastline outback area (4 labs)</p> <p>⑧ Reseal any bel coated wire wheeling pens on New Bldg to call the panel supports. ⑨ Securely position shade pieces</p> <p>⑩ Sanitation - SRT Bldg - one box West side needs cleaned out of old food, feces, underneath <sup>elevated hutch</sup> feces needs removed</p> <p>⑪ Drainage - Old Sundowner - wash down pipe not positioned correctly allowing waste to down below bldg + contaminate ground + lower</p>	7-26-05	8-26-05	Done 7-26-05 Done 7-26-05

GOVERNMENT  
EXHIBIT  
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APHIS FORM 7070 (MAR 95)

STATE OF KANSAS  
ANIMAL HEALTH DEPARTMENT  
ESTABLISHMENT WORK PROGRESS SHEET

Establishment Jeff & Lizman Forten Type AB

Address: Rt. 3, Box 45, Oberlin County DeCATUR

Establishment number \_\_\_\_\_ and/or License Number (if licensed) AB 164

Prospective Licensee \_\_\_\_\_

Owner

Manager

Agent

Prepared by [Signature]  
(Signature)

(b)(6),(b)(7)c  
(Signature)

Item	Date of Conference	Date Agreed Upon	Date Accomplished
6 cont.] on end of Bldg Need to fix/replace etc to properly dispose of waste.	7-26-05	8-26-05	
7) Spacing - Tree line pens 6 dogs in one pen - 5 labs (4 pups) 1 beagle - Need to separate out so not tripping over.			7-26-05
8) Cleaning - below house 2 water containers w/ algae - Clean thoroughly			
9) Maintenance - Big reefer Bldg - gap in flooring - replace/repair to prevent injury			
10) Shelter - 10 Terriers in Brokerage Bldg - elevated pens no cage doors - move or supply doghouse - DOGS MOVED 7-26-05			
11) Elevated Kitchens West area Hole in WHFT box - needs repaired			
12) Shade needed in Pyreneese Pen by Dad Barn			
13) SPACE - Lewis Bldg - Scottie w/ 2 pups - needs moved to larger pen - moved 7-26-05 (had chewed hole in stack cage)			
14) West side ground pens - 1st pen is empty of dogs - Dish house is chewed beyond repair needs replaced			



STATE OF KANSAS

ANIMAL HEALTH DEPARTMENT

708 SW Jackson Topeka KS 66603
Phone (785) 296-2326 FAX (785) 296-1765
www.accesskansas.org/kaahd

CREDIT CARDS: DISCOVER

RENEWAL DUE BY: JUNE 30, 2005

Renewal Application

New Application

2005-2006 Application for Kansas Animal Breeder or Animal Distributor License

FEE MUST BE INCLUDED WITH APPLICATION

County: Decatur
Are you applying for? Animal Breeder Animal Distributor Both
Premise Name: Beaver Creek Kennel Is this a Corp. or LLC? Yes (No)
Owner/Operator/Manager Name: Jeff Fortin
Mailing Address: Rt 3 Box 45 City, State & Zip: Oberlin KS 67749
Premise Address (NO PO BOX) Same City, State & Zip:
Home Phone: (b)(6),(b)(7)c Fax number: (785)475-2908
Cell Phone: (b)(6),(b)(7)c Work Phone: (785)475-2908
Usual hours at premise between 7:00am-7:00pm Monday -Friday: 11:00 am to 4:00 pm
Name of designated agent\* (18 or older): (b)(6),(b)(7)c

\*A designated agent is someone you will allow to show your kennel in your absence. If you are not regularly available, you must appoint a designated agent.

Designated Agent: Home Phone: Cell Phone: (b)(6),(b)(7)c Work Phone: (785)475-2908

Directions to premise: 11 miles south on Hwy. 83, 2 miles west on county rd. 471, 2 miles south, left turn at intersection

USDA license # 48 B0225 Effective date: 2-18-05 Expiration Date: 2-18-06 (provide copy of USDA license)

Do you sell, offer or maintain for sale, dogs/cats at any other location other than the premise for which this application for a license is being made? NO If so, location:

Total Number of dogs/cats (over 3 months of age) presently on premise:

dogs: M 204 F 563 Spay/Neuter 0 cats: M 0 F 0 Spay/Neuter 0

\*What brokers did you sell dogs/cats between July 1, 2004 to June 30, 2005? Use an extra page if necessary.

Name, address, license #: None

\*Failure to supply this information is not grounds for license denial. This information is subject to public disclosure under the Kansas open records act.

Do you sell any dogs/cats at retail(to the general public)? NO If so, what percentage at retail? %

Have you or any of your employees ever been convicted of any crime relating to theft or cruelty to animals? NO

If "yes", attach an explanation.

Are you a dog warden or animal control officer? NO (refer to K.S.A. 47-1701(k) for definition.)

Website address:

E-Mail address:

I understand that Kansas law permits a licensee to be inspected at least once a year and upon complaint if the premise is licensed by the USDA, and at least twice a year and upon complaint if the premise is not licensed by USDA. I hereby consent to inspections by the Kansas Animal Health Department. I understand that I may not sell more than 2 litters of animals until I have been granted a license. I understand that a willful disregard of any provision of the Kansas Pet Animal Act or of any regulations adopted thereunder may subject the licensee to suspension or revocation of the license and/or fine of up to \$1000 per violation and/or criminal penalties. I understand that a material misstatement in this application form may be grounds for denial, suspension or revocation of this license. The information contained within this application is true and correct to the best of my knowledge.

(b)(6),(b)(7)c

Signature of Owner or Authorized Representative

Date

8/4/05

Social Security # Furnishing your social security number is voluntary. This request is pursuant to K.S.A. 74-139. The information shall be used to provide your name, address and social security number to the director of taxation upon the director's request.

License year July 1, 2005 to June 30, 2006

License #: A 164 B 164 Inspector EA Amount: 200.00

Payment Type: DISCOVER CASH CHECK NO: 1696

GOVERNMENT EXHIBIT 18

Page 1 of 1 APHIS FORM 7070 (MAR 95)

State of Kansas  
Animal Breeder & Animal Distributor License

*This Is To Certify That*

**Lizann Fortin,  
Rt. 3, Box 45, Oberlin, KS 67749**

*Has the above address licensed as a Animal Breeder & Animal Distributor premise pursuant to K.S.A. 47-1701 et seq.*

**License No. A-164-05 & B-164-05**

*Presented by*

**KANSAS ANIMAL HEALTH DEPARTMENT**

This License Expires on  
**June 30, 2005**

or  
upon expiration, revocation  
or suspension of USDA license.

*George Teagarden*

Commissioner George Teagarden

Dated at Topeka, KS: July 1, 2004



**INSPECTION REPORT**

**LIZANN & JEFF FORTIN**  
4-10 BEST PETS

**Customer ID: 4248**  
**Certificate: 48-B-0225**

RR 3 BOX 45  
OBERLIN, KS 67749

**Site: 001**

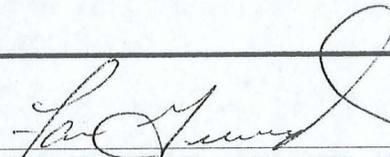
**Inspection**  
**Type: ROUTINE INSPECTION**  
**Date: NOV-12-2002**

No non-compliances identified this inspection.

Date of last inspection 10-25-2002

This inspection and exit interview was conducted By Faron Greenough (ACI) along with Lizann Fortin (owner).

End of report.

Prepared By:   
FARON GREENOUGH, ACI , USDA, APHIS, Animal Care

**Date:**  
NOV-12-2002

**Title:** ANIMAL CARE INSPECTOR . Inspector ID: 4051

Received By: (b)(6),(b)(7)c  
LIZANN FORTIN

**Date:**  
NOV-12-2002

**Title:** OWNER



NOV 19 2002



**INSPECTION REPORT**

LIZANN & JEFF FORTIN  
4-10 BEST PETS

Customer ID: 4248  
Certificate: 48-B-0225

RR 3 BOX 45  
OBERLIN, KS 67749

Site: 001

Inspection  
Type: ROUTINE INSPECTION  
Date: JUN-19-2003

No non-compliances identified this inspection.

Partial inspection only: Only brokerage and brokerage records were inspected not the breeding stock kennel.

Date of last inspection 10-01-2002

This inspection and exit interview was conducted by Faron Greenough (ACI) along with Lizann Fortin (owner).

End of report.

Prepared By: *Faron Greenough*  
FARON GREENOUGH, ACI, USDA, APHIS, Animal Care  
Title: ANIMAL CARE INSPECTOR . Inspector ID: 4051  
Received By: (b)(6),(b)(7)c  
LIZANN FORTIN  
Title: OWNER

Date:  
JUN-19-2003

Date:  
JUN-19-2003



JUN 23 2003



**INSPECTION REPORT**

4248 cust\_id  
195644 insp\_id  
11109 site\_id

**LIZANN & JEFF FORTIN**  
4-10 BEST PETS

Customer ID: 4248  
Certificate: 48-B-0225

RR 3 BOX 45  
OBERLIN, KS 67749

Site: 001  
LIZANN & JEFF FORTIN

Inspection  
Type: ROUTINE INSPECTION  
Date: SEP-~~10~~-2004  
8/18

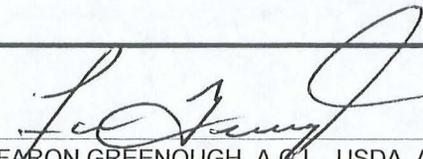
No non-compliant items identified this inspection.

This was a focused inspection only, on repeat non-compliant items from previous inspections.

This inspection and exit interview was conducted by Faron Greenough (ACI), Amy Jirsa-Smith (ACI) and Nancy Collins (employee).

End of report.

Prepared By:

  
FARON GREENOUGH, A.C.I., USDA, APHIS, Animal Care

Title: ANIMAL CARE INSPECTOR, Inspector ID: 4051

Received By:

certified mail

Title: 7003-1680-0005-5367-6472

Date:

SEP-~~10~~-2004  
8/18

Date:

SEP-~~10~~-2004  
8/18



SEP 15 2004

<p><b>U.S DEPARTMENT OF AGRICULTURE</b>  <b>ANIMAL AND PLANT HEALTH INSPECTION SERVICE</b></p> <p><b>APPLICATION FOR LICENSE</b>          (TYPE OR PRINT)</p> <p><b>LICENSE RENEWAL</b></p>	<p style="text-align: center;"><b>DO NOT USE THIS SPACE - OFFICIAL USE ONLY</b></p> <p>SEND THE COMPLETED FORM TO: 2150 Centre Ave, Building B          Mailstop # 3w11          Fort Collins, CO 80526 8117          Telephone: (970) 494-7478</p> <p style="font-size: small; color: blue;">NE-9-0026 NW OK 1490 760.00</p> <table border="1" style="width:100%; border-collapse: collapse; font-size: x-small;"> <tr> <th style="width:33%;">CERTIFICATE / CUSTOMER NO.</th> <th style="width:33%;">RENEWAL DATE</th> <th colspan="2">FEES</th> </tr> <tr> <td>CERT: 48-B-0225</td> <td>18-FEB-2005</td> <th style="width:16%;">AMOUNT</th> <th style="width:16%;">DATE RECEIVED</th> </tr> <tr> <td>CUST: 4248</td> <td></td> <td style="text-align: center;">760.00</td> <td style="text-align: center;">14-FEB-05</td> </tr> </table>	CERTIFICATE / CUSTOMER NO.	RENEWAL DATE	FEES		CERT: 48-B-0225	18-FEB-2005	AMOUNT	DATE RECEIVED	CUST: 4248		760.00	14-FEB-05
CERTIFICATE / CUSTOMER NO.	RENEWAL DATE	FEES											
CERT: 48-B-0225	18-FEB-2005	AMOUNT	DATE RECEIVED										
CUST: 4248		760.00	14-FEB-05										

**1. NAME(S) OF LICENSEE(S) AND MAILING ADDRESS**

██████████ Jeff Fortin  
 4-10 Best Pets  
 Rr 3 Box 45  
 Oberlin, KS 67749

Telephone: (785)475-2908

**2. ALL BUSINESS (Site) LOCATIONS HOUSING ANIMALS; INCLUDE DIRECTIONS TO EACH LOCATION (P.O. Box not acceptable)**

Rr 3 Box 45  
 Oberlin, KS 67749  
 County: Decatur  
 Telephone:

**3. LIST PERSONS 18 YEARS OF AGE OR OLDER AUTHORIZED TO CONDUCT BUSINESS. RESPONSIBLE OFFICIAL SIGNING BLOCK 10 SHOULD BE LISTED IN THIS BLOCK.**

Same as box 1

**4. (A) PREVIOUS USDA LICENSE NUMBER (if any)**

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**(B) ACTIVE USDA CERTIFICATE NUMBER IN WHICH YOU HAVE AN INTEREST:**

**5. TYPE OF LICENSE**

Class A - Breeder  Class B - Dealer  Class C - Exhibitor

**6. DATE OF LAST 12-MONTH BUSINESS YEAR (CALENDAR OR FISCAL)**

FROM	TO
01-JAN-2004	31-DEC-2004

**7. TYPE OF ORGANIZATION**

Individual  Corporation  Partnership

Other (Specify) \_\_\_\_\_

**8. DEALERS ONLY. Class A or Class B licensees must complete this Block. (Class C Exhibitors go to Block 9)**

CLASS A (BREEDER) - LINE 'D' = 1/2 OF LINE 'C'	(b)(4)
CLASS B (DEALER) - LINE 'D' = LINE 'C' LESS THE AMOUNT PAID FOR THE ANIMAL(S) (Sections 2.6)	
A. TOTAL NO. OF ANIMALS PURCHASED IN THE LAST BUSINESS YEAR	
B. TOTAL NO. OF ANIMALS SOLD IN THE LAST BUSINESS YEAR	
C. TOTAL GROSS DOLLAR AMOUNT DERIVED FROM REGULATED ACTIVITIES (SALES, BOOKING FEES, COMMISSIONS, ETC.)	
D. DOLLAR AMOUNT ON WHICH FEE IS BASED (SECTIONS 2.6 AND 2.7)	

**9. CLASS C EXHIBITORS ONLY. (Number of animals holding now or held during the last business year, whichever is greater.)**

DOGS		NONHUMAN PRIMATES		RODENTS (Do not include lab rats or mice)	
CATS		MARINE ANIMALS		WILD/EXOTIC HOOFSTOCK	
GUINEA PIGS		FARM ANIMALS		BEARS	
HAMSTERS		WILD/EXOTIC CANINES		WILD/EXOTIC MAMMALS (NOT LISTED ELSEWHERE)	
RABBITS		WILD/EXOTIC FELINES		TOTAL (ALL ANIMALS LISTED IN THIS SECTION)	

**CERTIFICATION**

I hereby make application for a license under the Animal Welfare Act 7 U.S.C. 2131 et seq. I certify that the information provided herein is to the best of my knowledge. I hereby acknowledge receipt of and certify to the best of my knowledge I am in compliance with all the regulations and Subpart A, Parts 1, 2 and 3. I certify that I am 18 years of age or older.

<b>10. SIGNATURE</b>  (b)(6),(b)(7)c	<b>11. PRINT NAME</b>  JEFF FORTIN	<b>12. SOCIAL SECURITY OR TAX IDENTIFICATION NUMBER</b>  (b)(6),(b)(7)c
		<b>13. DATE</b>  2-11-05



FEB 14 2005



United States  
Department of  
Agriculture

Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

Animal Care

**COPY** EXPIRATION DATE: FEBRUARY 18, 2006

This is to certify that

LIZANN & JEFF FORTIN  
DBA: 4-10 BEST PETS

is a licensed  
under the

CLASS B DEALER

## Animal Welfare Act

(7 U.S.C. 2131 et seq.)

Certificate No. 48-B-0225

Customer No. 4248

Deputy Administrator

GOVERNMENT  
EXHIBIT  
22

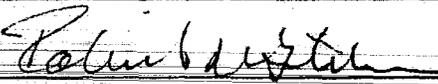
Please return to Kaven (AC)  
CASE NO. **KS10018**

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE	CASE NO. <b>KS10018</b>
<b>OFFICIAL WARNING VIOLATION OF FEDERAL REGULATIONS</b>	VIOLATOR
	<b>Jeff Forton 48-B-0225</b>
	ADDRESS (Street, City, State, Zip Code)  <b>725 BB lane Oberlin, KS 67749</b>

The Department of Agriculture has evidence that on or about November 4, 2009, December 10, 2009, and January 13, 2010, you or your organization committed the following violations of Federal Regulations:

- 2.126 (b) – Repeated failure to make a responsible adult available to accompany APHIS officials during the inspection process. (December 10, 2009 and January 13, 2010)
- 2.4 (b) (2) – Failure to maintain an adequate program of veterinary care (direct violation – November 4, 2009)
- 3.2 (b) – Failure to maintain adequate ventilation in an indoor facility (direct violation- November 4, 2009)
- 3.10 – Failure to provide an adequate supply of potable water to dogs (direct violation- November 4, 2009)

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS Official.

APHIS OFFICIAL (Name and Title)		OFFICE ADDRESS:
<b>Robert M. Gibbens, Director</b>		2150 Centre Ave. Building B, MS3W11 Fort Collins, CO 80526
SIGNATURE	DATE ISSUED	TELEPHONE NO. AC
	3/01/10	(970) 494-7478
FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)		DATE RECEIVED:
FOR CERTIFIED MAIL - RECEIPT NO: 7008 0500 0000 7755 3368		
APHIS FORM 7060 (JUN 91) Previous editions may be used PART 1 - VIOLATOR		