

Breadcrumb

1. [Home](#)
2. Print
3. Pdf
4. Node
5. Entity Print

USDA Announces Civil Penalties and License Revocation for Virginia Facility Due to Repeated Animal Welfare Act Violations

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WASHINGTON, January 9, 2024 — The U.S. Department of Agriculture’s (USDA) Animal and Plant Health Inspection Service (APHIS), in partnership with the U.S. Department of Justice (DOJ) and USDA’s Office of the General Counsel, has entered into a Consent Decision and Order with a breeder in North Chesterfield, Virginia. The terms of the USDA Consent Decision and Order include permanent Animal Welfare Act (AWA) license revocation and more than \$300,000 in civil penalties, a portion of which is to be paid outright with the remainder to be held in abeyance subject to any further violations of the AWA, its accompanying regulations, and/or the terms of the Consent Decision and Order.

“The humane treatment of animals has always been a top priority of APHIS, and we use all available resources to carry out this goal,” said Deputy Administrator for APHIS’ Animal Care Program, Dr. Roxanne Mullaney. “We applaud the work of our inspectors and our partners, and value the partnerships that help ensure enforcement of the AWA.”

Over the past year, APHIS inspections identified numerous AWA violations at the facility, owned by Elena Mikirticheva and Andrey Mikirtichev, for failing to provide

adequate shelter, medical and other care to their cats and dogs, as well as for failing to provide access to USDA inspectors. APHIS issued a 21-day license suspension for the facility on August 11, 2023, and filed an administrative complaint on August 25, 2023.

USDA referred the case to DOJ, which then filed a complaint in the U.S. District Court for the Eastern District of Virginia and secured a preliminary injunction for alleged, pervasive mistreatment of the cats and dogs at the facility. The injunction, in part, ordered Mikirticheva and Mikirtichev to stop selling and acquiring animals. With the injunction in place, the facility surrendered approximately 45 animals to USDA. The agencies then worked with the Virginia Attorney General's Office which seized the remaining animals at the facility under state law, more than 150 animals in total.

Subsequently, USDA and DOJ continued working together to pursue civil penalties and other relief. USDA filed the Consent Decision and Order to resolve the allegations in the administrative complaint on December 28, 2023. DOJ also filed a consent decree in the U.S. District Court for the Eastern District of Virginia, which provides that Mikirticheva and Mikirtichev shall permanently refrain from engaging in any activity requiring an AWA license or registration.

The Humane Society of the United States accepted the animals that were seized in the state court proceeding.

Each year, APHIS protects millions of animals nationwide that are covered by the AWA. The Act and accompanying regulations, developed by APHIS, set Federal standards of care for animals that are bred at the wholesale level, used in research, transported commercially, or exhibited to the public. In cases where APHIS has reason to believe that an AWA licensee is placing the health of its animals in serious danger, APHIS has the authority and obligation to notify the Attorney General.

For more information about APHIS' Investigative and Enforcement process, please visit [here](#).

USDA touches the lives of all Americans each day in so many positive ways. In the Biden-Harris Administration, USDA is transforming America's food system with a greater focus on more resilient local and regional food production, fairer markets for all producers, ensuring access to safe, healthy and nutritious food in all communities, building new markets and streams of income for farmers and producers using climate smart food and forestry practices, making historic

investments in infrastructure and clean energy capabilities in rural America, and committing to equity across the Department by removing systemic barriers and building a workforce more representative of America. To learn more, visit www.usda.gov.