



Indian Creek Investments III, LLC  
2740 Cosnear Road  
Lambertville, MI 48144

### **CITATION AND NOTIFICATION OF PENALTY**

We believe that you violated the Animal Welfare Act (7 U.S.C. § 2131 et seq.) (AWA), as described below.

#### **Date of Alleged Violation: November 11, 2020**

**9 C.F.R. § 3.75(a)** Housing facilities, general. Structure: construction. Housing facilities for nonhuman primates must be designed and constructed so that they are structurally sound for the species of nonhuman primates housed in them. 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.

You failed to construct and maintain housing enclosures for nonhuman primates so that they are structurally sound, kept in good repair, protect the animals from injury, contain the animals securely, and restrict other animals from entering.

The enclosure door for an olive baboon had gaps that were approximately three inches wide and were large enough for the baboon to reach his arm through. During the February 11, 2021 inspection, APHIS officials learned that on November 11, 2020 an olive baboon reached his hands through the gaps, grasped the employees hand while the handler was locking the transfer door, and bit it's keeper.

#### **Date of Alleged Violation: February 3, 2021**

**9 C.F.R. § 2.40(b)(2)** Attending veterinarian and adequate veterinary care (dealers and exhibitors). Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care.

You failed to use appropriate methods to prevent, control, diagnose and treat disease and injuries.

APHIS officials observed a female tayra with hairless, reddened, and



thickened skin on its neck. The facility had not contacted the Attending Veterinarian about the issue.

**Date of Alleged Violation: July 29, 2021**

**9 C.F.R. § 3.125(a)** Facilities, general. Structural strength. The facility must be constructed of such material and of such strength as appropriate for the animals involved. The indoor and outdoor housing facilities shall be structurally sound and shall be maintained in good repair to protect the animals from injury and to contain the animals.

You failed to maintain outdoor enclosures that were structurally sound and designed and maintained to contain the animals.

During the August 3, 2021 inspection APHIS officials learned that, on July 29, 2021, the facility discovered that one African crested porcupine was missing from the porcupine enclosure. The porcupine was never recovered.

**Date of Alleged Violation: August 3, 2021**

**9 C.F.R. § 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.

You failed to identify and communicate medical problems to the Attending Veterinarian so that a diagnosis can be determined, and treatment implemented. APHIS officials observed the following animals:

- 1) One female rabbit with hair loss on her right ear and the top of her neck. The underlying skin was red and moist with a cream/light brown crust;
- 2) One white-tailed deer (Ear tag #69) that was thin with fecal matter staining the hocks and back legs. The brownish liquid could be seen rolling down the front aspect of the right rear leg, below the hock;
- 3) Two white-tailed deer who were observed with thin body conditions;
- 4) One white-tailed deer with overgrown hooves; and
- 5) One white goat who was observed holding its right front leg up and the joint appeared to be swollen.



The penalty for the alleged violation(s) described above is \$13,500.