

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

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In re: ) AWA Docket No. 07-01191- )  
) )  
WOLF HAVEN INTERNATIONAL, )  
a Washington corporation; SUSAN )  
BIERY SERGOJAN, an individual; )  
and MICHAEL PETERS, an individual, ) CONSENT DECISION AS TO  
) RESPONDENT WOLF HAVEN  
Respondents. ) INTERNATIONAL

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.)(the "Act"), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents willfully violated the regulations and standards issued pursuant to the Act (9 C.F.R. § 1.1 et seq.). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent Wolf Haven International admits the allegations in the complaint as set forth herein as findings of fact and conclusions of law, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding, to the entry of this decision. The complainant agrees to the entry of this decision.

Findings of Fact

1. Wolf Haven International is a Washington corporation (No. 600536180) whose agent for service of process is Debra Robertson, 3111 Offut Lake Road, Tenino, Washington 98589. At all times mentioned herein, respondent Wolf Haven International was an exhibitor as that term is defined in the Act and the Regulations, and held AWA license number 91-C-0023.

2. Between January 5 and January 10, 2005, respondent Wolf Haven failed to have an attending veterinarian provide adequate veterinary care to a wolf (Akela).

3. Between January 5 and January 10, 2005, respondent Wolf Haven failed to ensure that respondent Wolf Haven's attending veterinarian had adequate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use, and specifically, respondents refused to adhere to the veterinary medical recommendation of respondent Wolf Haven's attending veterinarian to euthanize a dying wolf (Akela), and instead allowed respondent Wolf Haven's Executive Director to countermand the attending veterinarian's (and the animal curator's) advice.

4. Between January 5 and January 10, 2005, respondent Wolf Haven failed to establish and maintain adequate programs of veterinary care that include the availability of appropriate personnel and services to comply with the Regulations, and specifically, failed to establish a program whereby euthanasia would be available for suffering animals.

5. Between January 5 and January 10, 2005, respondent Wolf Haven failed to establish and maintain adequate programs of veterinary care that include adequate guidance to personnel involved in the care and use of animals regarding handling and euthanasia.

6. On or about January 22, 2005, through February 26, 2005, respondent Wolf Haven failed to establish and maintain adequate programs of veterinary care that include the availability of appropriate personnel to comply with the Regulations, and specifically, respondent terminated its entire animal care staff on or about January 21, 2005, and precluded its curator from entering the facility on February 5, 2005.

7. On or about January 22, 2005, through February 26, 2005, respondent Wolf

Haven failed to establish and maintain adequate programs of veterinary care that include the availability of emergency and weekend care, and specifically, had no weekend caretakers on January 22-23, 2005.

8. On or about January 22, 2005, through February 26, 2005, respondent Wolf Haven failed to establish and maintain adequate programs of veterinary care that included a mechanism of direct and frequent communication to convey timely and accurate information on animal health, behavior and well-being, and specifically, failed to administer prescribed medication to three wolves, or to notify the attending veterinarian that two of the wolves were exhibiting pain.

9. Between January 5 and January 10, 2005, respondent Wolf Haven failed to handle an adult wolf as carefully and expeditiously as possible in a manner that does not cause unnecessary discomfort.

10. Between January 5 and January 10, 2005, respondent Wolf Haven exhibited a dying wolf for periods of time and under conditions inconsistent with its good health and well-being.

11. Between January 5 and January 10, 2005, respondent Wolf Haven failed to take measures to alleviate the impact of climatic conditions that threaten an animal's well-being, and specifically refused to allow a dying adult wolf housed outdoors, in extremely cold conditions, to be euthanized.

12. On February 24, 2004, respondent Wolf Haven failed to store supplies of food and bedding in facilities that adequately protect them against deterioration, molding or contamination, and respondent stored uncovered meat in a location that allowed condensate to

leak onto the meat.

13. On February 24, 2004, respondent Wolf Haven failed to install ample lighting in the area where respondent thawed its meat, outside of the walk-in freezer.

14. On February 24, 2004, respondent Wolf Haven failed to ensure that food is free from contamination, and respondent's meat preparation area and sink had meat scraps and residue from the previous day store, and knives had not been cleaned from the previous use.

15. On February 24, 2004, respondent Wolf Haven failed to keep premises clean, and specifically, the floor of respondent's walk-in freezer had heavy debris and a buildup of dried blood.

#### Conclusions of Law

1. Respondent Wolf Haven International having admitted the allegations as set forth herein and the parties having agreed to the entry of this decision, such decision will be entered.

2. Between January 5 and January 10, 2005, respondent Wolf Haven failed to have an attending veterinarian provide adequate veterinary care to a wolf (Akela), in willful violation of section 2.40(a) of the Regulations (9 C.F.R. § 2.40(a)).

3. Between January 5 and January 10, 2005, respondent Wolf Haven failed to ensure that respondent Wolf Haven's attending veterinarian had adequate authority to ensure the provision of adequate veterinary care and to oversee the adequacy of other aspects of animal care and use, in willful violation of section 2.40(a)(2) of the Regulations (9 C.F.R. § 2.40(a)(2)).

4. Between January 5 and January 10, 2005, respondent Wolf Haven failed to establish and maintain adequate programs of veterinary care that include the availability of appropriate personnel and services to comply with the Regulations, in willful violation of section

2.40(b)(1) of the Regulations (9 C.F.R. § 2.40(b)(1)).

5. Between January 5 and January 10, 2005, respondent Wolf Haven failed to establish and maintain adequate programs of veterinary care that include adequate guidance to personnel involved in the care and use of animals regarding handling and euthanasia, in willful violation of section 2.40(b)(4) of the Regulations (9 C.F.R. § 2.40(b)(4)).

6. On or about January 22, 2005, through February 26, 2005, respondent Wolf Haven failed to establish and maintain adequate programs of veterinary care that include the availability of appropriate personnel to comply with the Regulations, in willful violation of section 2.40(b)(1) of the Regulations (9 C.F.R. § 2.40(b)(1)).

7. On or about January 22, 2005, through February 26, 2005, respondent Wolf Haven failed to establish and maintain adequate programs of veterinary care that include the availability of emergency and weekend care, in willful violation of section 2.40(b)(2) of the Regulations (9 C.F.R. § 2.40(b)(2)).

8. On or about January 22, 2005, through February 26, 2005, respondent Wolf Haven failed to establish and maintain adequate programs of veterinary care that included a mechanism of direct and frequent communication to convey timely and accurate information on animal health, behavior and well-being (five animals), in willful violation of section 2.40(b)(3) of the Regulations (9 C.F.R. § 2.40(b)(3)).

9. Between January 5 and January 10, 2005, respondent Wolf Haven failed to handle an adult wolf as carefully and expeditiously as possible in a manner that does not cause unnecessary discomfort, in willful violation of section 2.131(b)(1) of the Regulations (9 C.F.R. § 2.131(b)(1)).

10. Between January 5 and January 10, 2005, respondent Wolf Haven exhibited a dying wolf for periods of time and under conditions inconsistent with its good health and well-being, in willful violation of section 2.131(d)(1) of the Regulations (9 C.F.R. § 2.131(d)(1)).

11. Between January 5 and January 10, 2005, respondent Wolf Haven failed to take measures to alleviate the impact of climatic conditions that threaten an animal's well-being, in willful violation of section 2.131(e) of the Regulations (9 C.F.R. § 2.131(e)).

12. On February 24, 2004, respondent Wolf Haven willfully violated section 2.100(a) of the Regulations (9 C.F.R. § 2.100(a), by failing to meet section 3.125(c) of the Standards (9 C.F.R. § 3.125(c)).

13. On February 24, 2004, respondent Wolf Haven willfully violated section 2.100(a) of the Regulations (9 C.F.R. § 2.100(a), by failing to meet section 3.126(c) of the Standards (9 C.F.R. § 3.126(c)).

14. On February 24, 2004, respondent Wolf Haven willfully violated section 2.100(a) of the Regulations (9 C.F.R. § 2.100(a), by failing to meet section 3.129(a) of the Standards (9 C.F.R. § 3.129(a)).

15. On February 24, 2004, respondent Wolf Haven willfully violated section 2.100(a) of the Regulations (9 C.F.R. § 2.100(a), by failing to meet section 3.131(c) of the Standards (9 C.F.R. § 3.131(c)).

#### Order

1. Respondent Wolf Haven International, its agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations and standards issued thereunder.

2. Respondent Wolf Haven International is assessed a civil penalty of \$2,750, which shall be paid by certified check or money order made payable to the Treasurer of the United States.

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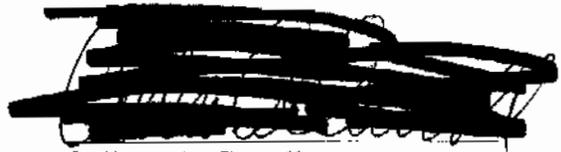
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The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.

WOLF HAVEN INTERNATIONAL  
an Washington corporation  
Respondent

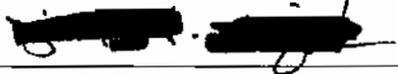
By   
Its Attorney

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(360) 943 8320  
WSBA # 18332



Colleen A. Carroll  
Attorney for Complainant

Done at Washington, D.C.  
this 7 day of April, 2008

  
Jill S. Clifton  
Administrative Law Judge