Dog Dealer’s Drug-License Application Withdrawn

Kiser Lake Kennels has been no stranger to HSUS members in the region, and the company is once again making news. A tidbit of information gleaned by HSUS staff has led to the discovery that this U.S. Department of Agriculture (USDA)-licensed dog dealer that buys dogs from Ohio dog pounds and other sources for resale to research labs lacked proper licensing by the Ohio Board of Pharmacy (OBP) for drugs it utilized. When Kiser Lake’s owner applied for the proper licensing, the OBP executive director recommended denial of the application based on its investigation. The owner later withdrew his application prior to the conclusion of a hearing provided at his own request.

It all began in September, when GLRO Program Coordinator Robin Weirauch visited Perry County, Ohio, to assist citizens who wished to improve their local dog pound. They call themselves the “Pound Upgrading Project,” or PUP. (Perry County has no humane society.) Weirauch spoke at an evening meeting of PUP and offered suggestions for changes that would be of the greatest benefit to animals. The next day Weirauch stopped by the pound and spoke with the dog warden. She was told that a small amount of sodium pentobarbital had been dispensed by a Kiser Lake employee to an individual not authorized to possess such drugs.

Knowing that sodium pentobarbital is a controlled substance regulated by state and federal law, Weirauch was obligated to report this information to the OBP, which promptly investigated. What was then believed to be sodium pentobarbital was discovered in a soda pop bottle, and more drugs were seized by the OBP investigator from Kiser Lake Kennels’ property because the kennel lacked proper licensing.

Kiser Lake needed a drug license to continue doing business as usual but would have had to provide satisfactory proof to the OBP that Ohio’s dangerous-drug laws would be upheld. The OBP held a hearing on this matter in January 1992. Although strongly objected to by the dealer’s attorney, Weirauch, who had been subpoenaed, testified regarding the alleged sodium pentobarbital. She supplied evidence of the suspension of the dealer’s USDA license in 1991 due to violations of the federal Animal Welfare Act and Kiser Lake Kennels’ arrangement with several Ohio dog pounds to kill surplus dogs in exchange for taking certain live ones for resale. She also explained why The HSUS believes that such an arrangement is contrary to Ohio law, presenting court documents and opinions from the Ohio attorney general as continued on page 2
Disposition of Stray Dogs Investigated in Noble County

Noble County, Ohio, does not have a dog pound, as is prescribed by state law, and has been housing stray dogs at a business enterprise that sells animals for research. An audit report released by the auditor of the state may change that situation, however.

Information received by the GLRO alleged that the county was utilizing a for-profit business called Dogtown USA as its dog pound and that dogs were being transferred to another for-profit business, an operation licensed by the USDA to sell dogs to research labs. Ohio counties must provide and operate their own pound or contract with a duly organized humane society for euthanasia and sheltering services.

When the USDA began investigating these allegations, forwarded to them by the GLRO, Dogtown USA claimed to be exempt from USDA licensing because it is a county dog pound, not a for-profit dog dealer. But USDA inspectors found extremely inadequate the records detailing where the dogs came from or their final disposition, which are required by Ohio law. The GLRO and the USDA then decided to request a closer look from the state auditor’s office regarding the portions of Ohio dog laws that the state agency oversees.

As a result of this joint request, the state auditor reported that “audit procedures regarding the administration of dog laws were expanded.” In addition to several record-keeping deficiencies, the audit report stated that the county commissioners are without authority to enter into such a contract [with a for-profit corporation] and should immediately void this contract and consult with the county prosecutor to assure compliance with the requirements of this section (of Ohio law).

This very detailed audit report (which is available to the public) has been turned over to the Ohio attorney general’s office for possible legal action.

A number of people have expressed interest in improving animal protection in Noble County, and the GLRO hopes that a humane society will soon be formed for that purpose.

The expanded audit procedures will be applied to other counties about whose practices the GLRO had expressed concern.
Director's Comment  
continued from page 3

The HSUS has launched its “Until There Are None, Adopt One” campaign. There are thousands of cats like Katie, as well as thousands of great dogs, in shelters near you. The majority face euthanasia if not adopted. We strive for the day when there are none in shelters, but until that day we are encouraging you to adopt one.

We have designed a brochure, “Choose a Pal for Life,” for distribution in the community and at shelters. The campaign is helping shelters emphasize advertising, increase their name recognition, and bring more people through their doors while maintaining high adoption standards.

So when you are looking for your next pet, please go to your shelter. There is a Katie there waiting for you.

Latest Chapter of Cockfight Story Is a Disappointing One

Our last Regional Report described two major cockfight raids that took place last May. The GLRO assisted the Ohio Department of Agriculture in both raids, one of which involved the “Super Bowl” of cockfighting. The raids netted nearly 400 people and 700 game fowl. All cockfighting charges filed were misdemeanors.

Recent events have proven that Ohio’s present cockfighting law is too weak. In Scioto County charges were dropped when it was learned the sheriff had failed to notarize the citations. The prosecutor refused to refile the charges, stating he had more important cases to consider. In the same county, all of the birds were returned to their owners because the judge could not be convinced the birds were to be used for fighting. Photographs of dead birds apparently didn’t persuade him otherwise.

In Vinton County hundreds of birds were returned to owners or auctioned. These game fowl went to some of the people who had been charged with cockfighting. This action shows the need for a felony cockfighting bill. State Rep. Dean Conley has introduced one in H.B. 632. We are calling upon Ohioans to ask their state lawmakers to support this bill.