

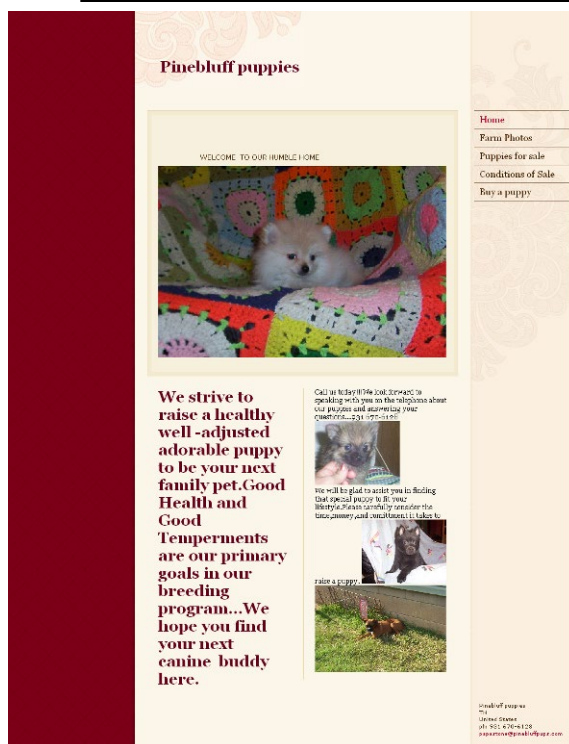
# THE PROBLEM OF UNLICENSED PUPPY MILLS

The United States Department of Agriculture does not license or inspect large-scale puppy producers who sell puppies directly to the public, as long as buyers can view the puppy in person before purchase. Many of these unlicensed facilities advertise on websites that show deceptively bucolic conditions, only to meet their buyers at a different location without ever showing them where the puppy was really born and raised. Unless they are in a locality with strongly enforced state-level or local standards, these large-scale unlicensed breeders are not monitored for their animals' overall health or for any humane treatment standards.<sup>1</sup>

## UNLICENSED PUPPY MILLS OFTEN LURK BEHIND MISLEADING WEBSITES

- PATRICIA ATKISSON, PINEBLUFF PUPPIES-TENNESSEE

The website



The reality



<sup>1</sup> Unless otherwise noted, all photos of kennel conditions provided by The Humane Society of the United States.

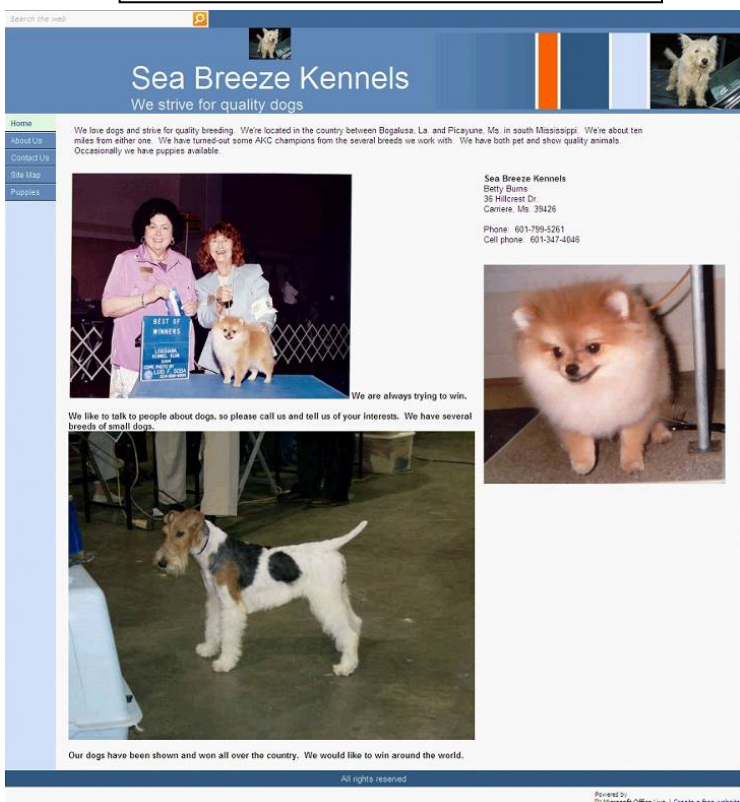
The HSUS assisted in removing more than 700 animals from the property in 2008 due to substandard care and conditions. Ill, dead and dying animals were found on the property. The owner had been in business for decades but local laws were inadequate to address the problem until the situation had spiraled out of control and hundreds of animals were suffering.

The animals were removed and treated over a period of six days at a cost of approximately \$120,000 to The HSUS – not including the financial costs incurred by many other groups working with us, the local community government or the costs associated with investigating the facility, filing charges and the upcoming long judicial process, nor of the many local animal shelters who received dogs from this facility, processed them, spayed/neutered and continued to handle medical problems, and found good homes. Approximately 50 people a day (experts and volunteers), numerous local, state and national humane organizations participated, and local law enforcement officials handled criminal aspects of the case as well as the increased traffic and security problems. HSUS also incurred costs for renting a large building for the temporary shelter and all the expenses involved with the rental, medical issues, and housing and meals for volunteers in this rural area in addition to the direct costs for caring for the animals.

The owner was charged and convicted of 14 counts of aggravated animal cruelty and 16 counts of misdemeanor animal cruelty.

- **SEA BREEZE KENNELS-MISSISSIPPI**

**The website**



**The reality**



On July 13, 2010, The HSUS's Puppy Mills Task Force assisted in removing more than 100 dogs from the property of an Internet-based puppy seller who was not locally or federally licensed. The seller was not required to be licensed because she lives in a state with no kennel laws and was selling directly to the public. The animals were found in shockingly poor condition, many of them standing on floors where more feces than flooring were visible. The dogs were crowded inside a home that reeked of urine and rescuers were forced to wear ventilators to enter the facility. Ill, injured and dead animals were found on the property, parts of which were infested with flies, fleas, maggots and rats. The owner had been in business for decades but local laws were inadequate to address the problem until the situation had spiraled out of control. The owner was charged with animal neglect.

- SHARON AND EDWIN ROBERTS, WHISPERING OAKS KENNEL-WEST VIRGINIA



HSUS Emergency Services team assisted in removing more than 900 animals from overcrowded and substandard conditions in 2008. The Environmental Protection Agency had determined that wastes from the facility were polluting local waterways. In exchange for agreeing to relinquish the animals, the owners were not charged.

At that time, West Virginia had no laws requiring large-scale breeding kennels to be licensed or inspected.

- ALMOST HEAVEN KENNEL-PENNSYLVANIA





The HSUS Emergency Services team and local authorities assisted in rescuing more than 200 dogs and cats from filthy conditions at this Pennsylvania puppy and kitten mill in June 2009. The operator was selling hybrid dogs such as “Labradoodles” and many other breeds both online and through the local classifieds. The dogs were being housed in a variety of small pens, wire crates and kennels throughout the property. Responders found typical puppy mill conditions; many of the dogs were suffering from skin and eye infections as well as other medical ailments. It is likely that many of the animals had never known life outside their cramped cages. The owner was charged and convicted on two counts of animal cruelty.

## **UNLICENSED PUPPY MILLS AND CLASSIFIED / MAIL SALES**

- **ELLA STEWART, SUN VALLEY KENNEL-WASHINGTON**

In June 2009 The HSUS, in cooperation with a local sheriff's department, facilitated the removal, emergency sheltering, and initial veterinary care for 371 dogs from a puppy mill in Washington state after the owner was charged with animal cruelty. The owner had been harboring sick animals in dilapidated housing. Some of the animals were housed in old shopping carts.



It took more than 60 people two days to provide basic, essential care for the animals. Private citizens reportedly donated approximately \$12,000 to the local sheriff's department to help care for the dogs. However, law enforcement authorities reported that the estimated cost of the operation was

approximately \$330,000, which included the direct costs of the value of services from local veterinarians and clinics for the first 30 days of animal care. Most of the services, however, were provided to the county at no charge by The Humane Society of the United States and other nonprofit organizations. Stewart pleaded guilty to one count of first-degree animal cruelty, a felony, and nine counts of second-degree animal cruelty.

- **JUNIOR HORTON, HORTON'S PUPS- VIRGINIA**

An HSUS undercover investigation in 2007 found puppy mill owner Junior Horton with more than 1,000 dogs housed in substandard conditions. The HSUS assisted local authorities in removing most of the dogs from his property.



The small community in southwestern Virginia was suddenly confronted with the need to remove, care for and place the dogs. Gary Larowe, County Administrator, said in a February 2008 letter sent to Delegate Robert Orrock of the state legislature, *“we declared a local emergency and took action in establishing Standard Operating Procedures (SOPs) in getting each animal documented, seen by a veterinarian, setting up phone lines, e-mail addresses, establishing a command post, developing media kits, conducting scores of interviews and dealing with satellite trucks from across the east coast. Not only were we experiencing pressure from the rest of the world, we had 1,100 animals to make sure they were cared for in the best possible way. During the event, we had many births even in transit from the alleged Puppy Mill to the command center. The volunteer veterinarians from various regions came to our rescue through the call for help by the Commonwealth Emergency Operations Center in Richmond. Along with the professionals, we had assistance from animal rights volunteer groups such as VA PAWS and HSUS plus many Humane Society(s) and SPCAs from Florida to New York. The real work to get this project completed took more than two weeks of dedicated efforts by paid staff and volunteers. I bring the elements of the above real-life case to you because if Carroll County had to actually pay for the entire operation to deal with the alleged ‘Puppy Mill,’ I would estimate the cost at more than \$100,000.”*

Junior Horton was convicted of animal cruelty in VA in 2008. After a bill was passed in Virginia to prevent persons convicted of animal cruelty from holding a kennel license, Horton moved his breeding business to Ohio. At that time, due to a lack of kennel oversight laws in Ohio, Horton’s new facility was not inspected by any state or federal agency. Horton remains in business in Ohio, only regulated locally by the county in 2020.

- **IRENE MEUSER-TENNESSEE**

HSUS assisted in the rescue of almost 300 dogs and cats found in cruelly overcrowded and filthy conditions in 2006. The facility owner had been in operation for decades and was known to be a problem seller, but laws were inadequate to address the problem until conditions had spiraled out of control and hundreds of animals were living in dire cruelty. The owner pleaded guilty to misdemeanor charges of animal cruelty and served no jail time. Tennessee currently has no laws requiring commercial breeders to be licensed or inspected.



### **Some formerly USDA-licensed operators continue to sell directly to the public, simply by converting to internet sales**

An increasing number of USDA licensed dog dealers have apparently dropped their USDA licenses to avoid complying with the Animal Welfare Act, yet continue to advertise puppies online. Some operators who have had their licenses revoked due to numerous unresolved violations had remained in business due to the “direct sales” loophole. Some examples follow.

- **WENDY LAYMON, FRENCHIES R US AND OTHER KENNEL NAMES- MISSOURI**

Wendy Laymon (aka Faith Layman and other names) sells puppies, primarily French Bulldogs, over the Internet from Missouri to customers across the country for about \$2,000 each. Numerous animal protection organizations have received complaints about sick puppies sold by this individual, who was once licensed in Washington state and was considered notorious in Snohomish County Washington before losing her WA kennel license and then moving to Missouri. The kennel has used more than half a dozen different business names, including Shadow Mountain Ranch, The Bulldog Connection, and Frenchie Babies. As of 2020, Laymon remains in business and state licensed in Missouri.

In Snohomish County, Washington, Laymon reportedly lost her kennel license and was sued in small claims court approximately 15 times for charges related to selling sick puppies and misrepresentation issues. She then moved to Missouri.

On March 27, 2009 the USDA levied action against Laymon (dba Shadow Mountain Kennel) under docket #08-0089 ([http://www.da.usda.gov/oaljdecisions/090403\\_AWA-08-0089.pdf](http://www.da.usda.gov/oaljdecisions/090403_AWA-08-0089.pdf)) due to numerous violations of the Animal Welfare Act, including poor animal care, dirty conditions, and inadequate housing.

She was fined \$7,125 (held in abeyance) and banned from holding a USDA license for three years.

- **Accused of Tax Evasion**

In 2010, a coalition of dog protection advocates presented the Missouri Department of Revenue with evidence of potential tax fraud in Missouri’s puppy mill industry, and requested an

industry-wide investigation into a possible tax-evasion scheme that could be costing the people of Missouri several million dollars a year in lost revenue. One of the facilities investigated as part of the study included Wendy Laymon's kennel.

The coalition's investigation revealed that many of the facilities – some of which have more than 100 adult dogs on site – were not collecting sales tax on retail dog

purchases, a clear violation of the Missouri tax code. The 11 large-scale puppy mills identified in the investigation may owe the state Department of Revenue more than \$70,000 between them in sales tax annually. When this level of non-compliance is multiplied by the number of sales made by the hundreds of state-licensed commercial breeders and dealers in the state, it appears the state could be losing millions of dollars a year to unscrupulous puppy dealers.



- **PAM SIMS, PAM'S COCKERS AND SCHNAUZERS-TEXAS**

In 2007, 61 adult dogs were removed from Sims' property due to severe skin problems, The USDA revoked her license in Nov. 2009 after years of animal welfare violations including a high concentration of ammonia (urine fumes), failure to provide adequate shelter or protection from inclement weather, failure to provide vet care to dogs with severe skin problems, animals with open wounds caused by biting and scratching at infected skin, and severe accumulations of feces.

PHOTO BY: USDA

The USDA revoked Sims' license by court order in 2009. Yet Sims continued to sell directly to the public without any regulatory oversight for several years. Her kennel is believed to be closed as of 2019.<sup>2</sup>

- **LEONARD AND SANDRA KRUPCZNSKI, KRUPCZNSKI KENNEL-ARKANSAS**

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<sup>2</sup> To the best of our knowledge

After dropping their USDA license in 2006, the couple continued to sell puppies directly to the public for several years. Arkansas has no state kennel licensing laws, so the facility was not held to any state or federal standards as conditions went from bad to worse.

In March 2009, with the help of the local law enforcement and several other animal welfare groups, The HSUS rescued over 300 animals from deplorable conditions at the facility. One of the dogs rescued is pictured at right. He is encrusted with feces and matted hair, and his condition is similar to that of many other dogs removed from the kennel. The expense to municipal agencies for the cost of removing and treating 300 dogs could have been avoided if the facility had been regularly inspected and compelled to comply with basic welfare standards. Although the kennel remains closed to the best of our knowledge, the case is an example of how a facility with cruel and filthy conditions continued to operate, unlicensed, for three more years simply by changing its alleged mode of sale.



- **CLARA VOWELL- INDIANA**



Facility owner was a former USDA-licensed breeder who discontinued her license in 2007 after a history of reported problems but continued to run a breeding facility. The HSUS assisted in removing more than 60 animals from her property in 2008 due to inadequate veterinary care. Some of the dogs were found with mites and open bleeding wounds. At least one dead dog was found at the facility (photo on left). Local authorities declined to file charges. Reportedly the facility continued to sell puppies directly to the public.

## **DEALING WITH UNLICENSED PUPPY MILLS IS COSTLY**



- **JOHN AND HEIDI FRASCA,  
J'AIME KENNELS-MAINE**

In 2007, Maine experienced the largest known puppy mill case in the state's history when local authorities seized 249 animals from a substandard kennel. In addition, 102 more puppies were born during the duration of the resulting cruelty case. Many of the animals were suffering from mange and severe skin infections. One of the websites the couples used to market their puppies stated, "Our puppies are born in our home and are exposed to household noises, other dogs, livestock, cats, parrots and a various



assortment of other creatures from an early age." The site mentions the kennel's guarantee, dedication to breeding for temperament and confirmation for the show ring. But what authorities found upon arriving on the scene were sick, unkempt animals living in fetid enclosures.

Expenses piled up after 6-7 weeks of sheltering the animals on the kennel property with round-the-clock security. After being removed from the property, animals were transported to a temporary emergency shelter and spent another approximate 4-5 months there. **The total cost to the state of Maine was approximately \$440,000. Two lead shelters, Animal Welfare Society and Animal Refuge League also fundraised for the effort and likely brought in around another \$30,000 that covered costs that would have otherwise been charged to the state.**

The HSUS spent approximately \$40,000, which covered deployment of 5 to 6 volunteers per day for the first six weeks of the case. The Maine State Director spent approximately 8-10 weeks on site daily, and two other HSUS staff assisted as well. HSUS Emergency Services sent in a management team for a weeklong period and provided at least one responder for a few weeks following the full week. Emergency Services also provided a team to prepare for and execute the set-up of the temporary shelter and the transport of the animals to the new site. An HSUS large sheltering vehicle was used during the move. **Total costs are estimated to have exceeded \$510,000.** The Frascas pled guilty to five counts of animal cruelty.

## **Conclusion**

The fact that so many large and deplorably substandard commercial breeding facilities are operating with little or no state oversight and often no federal oversight, is an example of the current gaping loopholes in the law. The federal Animal Welfare Act outlines minimal standards of care for some kinds of commercial breeders, but the USDA does not monitor large-scale commercial breeders who sell at flea markets, on their own properties, or via any other face-to-face transactions. Therefore, strong state and local laws are necessary to protect animals like the ones pictured above.