



Steven W. Troxler  
Commissioner

North Carolina Department of Agriculture  
and Consumer Services  
*Veterinary Division*

David T. Marshall, DVM  
State Veterinarian

October 6, 2009

Mr. Russell Overman, Manager  
County of Martin  
305 East Main Street  
Williamston NC 27892

CERTIFIED MAIL  
RETURN RECEIPT  
REQUESTED  
7006 2760 0003 0472 1887

**Notice of Voluntary Cessation of Gas Chamber Operation Privilege**

**Re: Violation of Title 02, N.C. Administrative Code Chapter 52J, Section(s) .0601 et seq.**

Dear Mr. Overman:

Mr. Joe Blomquist, Animal Health Technician with the North Carolina Department of Agriculture & Consumer Services, Animal Welfare Section, Veterinary Division, conducted an inspection of the Martin County Animal Shelter and discovered that your Carbon Monoxide chamber did not meet the requirements of the NC General Statutes and the NC Administrative Code:

**§ 19A-24. Powers of Board of Agriculture.**

(5)... If the gas method of euthanasia is approved, rules shall require (i) that only commercially compressed carbon monoxide gas is approved for use, and (ii) that the gas must be delivered in a commercially manufactured chamber that allows for the individual separation of animals.

**02 NCAC 52J .0601 CARBON MONOXIDE EQUIPMENT**

If carbon monoxide is used for euthanasia in a certified facility, the following requirements shall be met:

... (2) The gas shall be delivered in a commercially manufactured chamber that allows for the individual separation of animals;

Mr. Blomquist reports that you have agreed to voluntarily cease use of the carbon monoxide chamber to euthanize dogs or cats. This letter confirms this Department's understanding that said cessation is voluntary and shall continue until a CO chamber at the Martin County Animal Shelter is found to meet the criteria of the General Statutes and Administrative Code and approval for its use is given by the Animal Welfare Section.

If a CO chamber is used to euthanize dogs or cats by your organization before such approval is given by the Animal Welfare Section, it could result in disciplinary action against any Certified Euthanasia Technician using the chamber and as well as against the certification of the facility including the assessment of a civil penalty of up to \$5,000.00 per violation under N.C. Gen. Stat. § 19A-40.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Hunter, DVM, MPH". The signature is stylized and cursive.

Lee Hunter, DVM, MPH  
Director, Animal Welfare Section

BHB/mwb

cc: Mr. Howard Isley, Assistant Commissioner  
Ms. Dianne Whitman, Administrative Officer  
Mr. Barry Bloch, Assistant Attorney General  
Mr. Joe Blomquist, Animal Health Technician