



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

Christina L. Waggett
Assistant Commissioner
for Consumer Protection

Michael Martin, DVM
State Veterinarian

September 9, 2024

Debra S. Somersett
Owner
Diamond A Kennels
50 Green Bay Road, N.W.
Ocean Isle Beach, NC 28469
and via email
diamonda@atmc.net

NOTICE of CIVIL PENALTY and NOTICE of WARNING

Re: CIVIL PENALTY ASSESSMENT for VIOLATION of TITLE 02 N.C. ADMINISTRATIVE CODE (NCAC) CHAPTER 52J SECTIONS .0201(a), (d)(2), and (e); .0203(a)(1) and (2); .0204(b) and (h); .0205(a); .0206(a); .0207(a), (b), (d)(4); (e), and (f); and .0209(7)(a) and NOTICE of WARNING for VIOLATIONS of 02 NCAC 52J .0102(6); .0202(d) and .0204(a).

AWS-CP-2024-19

Facility: Diamond A Kennels
License Number: 10409

Dear Ms. Somersett:

Pursuant to NCGS § 19A-40, I am issuing this notice that you as owner and operator of Diamond A Kennels (“the kennel”) are hereby assessed a civil penalty of \$5,300.00 as provided in the enclosed Notice of Violation.

With regard to the civil penalty, within 60 days from the date of this letter, you must do one of the following:

1. Pay the civil penalty assessment; or
2. File a written petition for a contested case hearing with the N.C. Office of Administrative Hearings to appeal the penalty assessment.

Pursuant to NCGS § 150B-22, either party to a dispute may initiate informal settlement negotiations at any time. To negotiate a settlement of this assessment, you may contact me by telephone at (919) 707-

3280. Settlement offers do not extend the 60-day deadline for payment or filing of a contested case petition.

Additional information about your options is provided below:

PAYMENT

To pay the penalty, please send your payment by check or money order made payable to the North Carolina Department of Agriculture and Consumer Services to:

North Carolina Department of Agriculture and Consumer Services
Dr. Patricia Norris
Director, Animal Welfare Section
1030 Mail Service Center
Raleigh, NC 27699-1030

APPEAL

If you file a contested case petition, it must be in writing and in the form prescribed by NCGS § 150B-23. The petition must be filed with the N.C. Office of Administrative Hearings (“OAH”) within 60 days from the date of this document. Additionally, the petition must be accompanied by a filing fee of twenty dollars (\$20.00). Payment can be made by cash, money order, certified check or check drawn on an attorney’s trust account. Make checks payable to: Office of Administrative Hearings. File the petition and one copy with:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714

Any questions about filing a petition may be directed to the Clerk of OAH by telephone at 919-431-3000.

You must serve NCDA&CS by mailing a copy of the petition to:

Mr. Jonathan Lanier
North Carolina Department of Agriculture and Consumer Services
Registered Agent and General Counsel
1001 Mail Service Center
Raleigh, NC 27699-1001

Payment of the penalty will not foreclose further enforcement action against you for any new violation. If the violations which resulted in the assessment are of a continuing nature, NCDA&CS reserves the right to assess additional civil penalties in the future or take other enforcement action against you.

Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patricia Norris DVM MS".

Patricia Norris, DVM, MS
Director, Animal Welfare Section

Attachment: Notice of Violations, Assessment of Civil Penalty

cc: Michael Martin, DVM, State Veterinarian
Jonathan Lanier, General Counsel, NCDA&CS
Christina L. Waggett, Assistant Commissioner, NCDA&CS
Christopher R. McLennan, Special Deputy Attorney General

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

NORTH CAROLINA DEPARTMENT
OF AGRICULTURE AND CONSUMER
SERVICES, VETERINARY DIVISION
ANIMAL WELFARE SECTION

IN THE MATTER OF)
)
DEBRA S SOMERSETT)
)
OWNER OF)
)
DIAMOND A KENNELS)
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Acting pursuant to NCGS § 19A-40, Dr. Patricia Norris, Director, Animal Welfare Section (“AWS”), North Carolina Department of Agriculture and Consumer Services (“NCDA&CS”) makes the following:

FINDINGS OF FACT

1. At all times pertinent to this matter, Diamond A Kennels (“the kennel”) owned and operated by Debra S. Somersett was a boarding kennel that was licensed with AWS as a boarding kennel pursuant to NCGS § 19A-28.
2. On August 22, 2024, AWS received a complaint concerning a death of a dog named Halo that occurred while the dog was boarding at the kennel. Based on this information, AWS opened an investigation. The investigation centered on possible violation(s) of the N.C. Animal Welfare Act (“AWA”) as these statutes and associated regulations are the extent of the jurisdiction of AWS.
3. On August 23, 2024, AWS Animal Health Technician Tolley (“Inspector Tolley”) conducted a site visit and Facility Compliance Inspection (“FCI”) at the kennel starting at approximately 3:00 PM. The following information was obtained during this site visit and FCI:
 - a. in violation of 02 NCAC 52J .0102(6), the death of the dog named Tinker on May 29, 2024 was not reported to AWS within 48 hours. The death of the dog in July 2024 and the dog named Halo in August 2024 were reported to AWS within 48 hours as required by 02 NCAC 52J .0102(6);
 - b. in violation of 02 NCAC 52J .0201(a), the kennel failed to maintain the enclosure housing the cat named Cosmo in good repair as the kennel door did not latch securely and had a chair pushed against it to keep it closed;
 - c. in violation of 02 NCAC 52J .0201(d)(2), the food container in the prep room was not covered by its lid and a large bag of cat food was open and not in a sealed container in the cat building. This violation was previously cited during the January 8, 2024 FCI;

- d. in violation of 02 NCAC 52J .0201(e), the kennel failed to provide for the daily removal and disposal of animal and food waste so that the facility was maintained in a clean and sanitary manner. This violation was evidenced by the large amount of fecal matter, food waste, and hair scraped into a pile in the middle of the front kennel room;
- e. in violation of 02 NCAC 52J .0202(d), the kennel failed to maintain the surfaces of the indoor facility with which animal come in contact so that the surfaces were impervious to moisture and could be readily sanitized as evidenced by the numerous rusted surfaces throughout the building. This violation was previously cited during the January 8, 2024 FCI;
- f. in violation of 02 NCAC 52J .0203(a)(1), the concrete walkways were not sealed as evidenced by the green biological growth on the concrete. This violation was previously cited during the January 8, 2024 FCI;
- g. in violation of 02 NCAC 52J .0203(a)(2), the gravel exercise yards were not kept sanitary as evidenced by the large amount of fecal matter throughout the yards. This violation was previously cited during the January 8, 2024 FCI;
- h. in violation of 02 NCAC 52J .0204(a), the kennel failed to maintain the surfaces of the primary enclosures so that they were impervious to moisture as evidenced by the numerous rusted kennel doors of the primary enclosures housing the dogs. This violation was previously cited during the January 8, 2024 FCI;
- i. in violation of 02 NCAC 52J .0204(b), the wood with which animals have access was no longer sealed, was damaged as evidenced by the green biological growth on the wood barrier to the AC unit and boards on the walkway to the exercise areas and had not been replaced so that the animals did not have contact. This violation was previously cited during the January 8, 2024 FCI;
- j. in violation of 02 NCAC 52J .0204(h), the surfaces of the resting surfaces were damaged, unable to be easily sanitized and posed a risk of injury to the animals. This violation was previously cited during the January 8, 2024 FCI;
- k. in violation of 02 NCAC 52J .0205(a), the kennel failed to feed a boarding cat in the previous 24-hour period.
- l. in violation of 02 NCAC 52J .0206(a), the kennel failed to provide continuous access to water to 16 animals (14 dogs housed in 13 enclosures, 2 cats in individual enclosures);
- m. in violation of 02 NCAC 52J .0207(a), the kennel failed to properly clean the primary enclosures a minimum of two times per day as evidenced by the accumulation of fecal matter and food waste in these areas. This violation was previously cited during the January 8, 2024 FCI;
- n. in violation of 02 NCAC 52J .0207(b), effluent from the pile of fecal matter in the middle of the front kennel room was draining towards animals housed in adjacent enclosures and a door had been opened and closed spreading the fecal matter across the floor;
- o. in violation of 02 NCAC 52J .0207(d)(4), the kennel failed to clean the exercise areas between groups of dogs. This violation was previously cited during the January 8, 2024 FCI;
- p. in violation of 02 NCAC 52J .0207(e), the kennel failed control the weeds and grasses on the premises. This violation was previously cited during the January 8, 2024 FCI;
- q. in violation of 02 NCAC 52J .0207(f), the kennel failed to maintain an effective program for the control of insects as evidenced by the large number of flies present within the kennel;
- r. in violation of 02 NCAC 52J .0209(7)(a), the kennel failed to document the provision of daily social interactions and enrichment for Breeze (boarding since November 2022) and Fiona (boarding since December 2023). This violation was previously cited during the January 8, 2024 FCI; and

- s. the FCI was marked as Disapproved due to the number, severity and repetitive nature of the violations.

CONCLUSIONS

To the extent that the Findings of Fact contain Conclusions of Law, or that the Conclusions of Law are Findings of Fact, they should be so considered without regard to the given labels. Based on the findings of this investigation, AWS concludes that the kennel violated the following provisions:

02 NCAC 52J .0102(6) for failure to report to AWS within 48 hours of the death of a dog that occurred on May 29, 2024

02 NCAC 52J .0201(a) for failure to maintain the enclosure housing the cat named Cosmo in good repair as observed on August 23, 2024

02 NCAC 52J .0201(d)(2) for failure to store all open bags of food in airtight containers with lids as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

02 NCAC 52J .0201(e) for failure to provide for the daily removal and disposal of animal and food waste so that the facility was maintained in a clean and sanitary manner as observed on August 23, 2024

02 NCAC 52J .0202(d) for failure to maintain the surfaces of the indoor facility with which animal come in contact so that the surfaces were impervious to moisture and could be readily sanitized as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

02 NCAC 52J .0203(a)(1) failure to maintain the concrete walkways so that they were sealed and impervious to moisture as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

02 NCAC 52J .0203(a)(2) for failure to keep the gravel in the exercise areas in a sanitary manner as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

02 NCAC 52J .0204(a) for failure to the surfaces of the primary enclosures so that they were impervious to moisture as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

02 NCAC 52J .0204(b) for failure to replace damaged wood in primary enclosures and other areas where animals had access so that the animals no longer had contact with the wood as noted on August 23, 2024

02 NCAC 52J .0204(h) for failure to maintain the surfaces of the resting surfaces so that they were able to be easily sanitized and did pose a risk of injury to the animals as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

02 NCAC 52J .0205(a) for failure to feed a boarding cat at least once in a 24-hour period as observed on August 23, 2024

02 NCAC 52J .0206(a) for failure to provide continuous access to water to 16 animals (14 dogs housed in 13 enclosures, 2 cats in individual enclosures) as observed on August 23, 2024

02 NCAC 52J .0207(a) for failure to properly clean the primary enclosures a minimum of two times per day as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

02 NCAC 52J .0207(b) for failure to take adequate measures to protect animals in clean enclosures from being contaminated with water and other wastes as observed on August 23, 2024

02 NCAC 52J .0207(d)(4) for failure to properly clean the exercise areas as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

02 NCAC 52J .0207(e) for failure to control the weeds and grasses on the premises as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

02 NCAC 52J .0207(f) for failure to maintain an effective program for the control of insects as observed on August 23, 2024

02 NCAC 52J .0209(7)(a) for failure to document the provision of daily social interactions and enrichment for 2 dogs as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

CIVIL PENALTY

As required by NCGS § 19A-40, in determining the amount of the civil penalty, I have considered the degree and extent of harm caused by the violations listed above.

Accordingly, Debra S Somersett, as owner and operator of Diamond A Kennels, is hereby assessed a civil penalty for the following violations:

\$200.00 for violation of 02 NCAC 52J .0201(a) for failure to maintain the enclosure housing the cat named Cosmo in good repair as observed on August 23, 2024

\$100.00 for violation of 02 NCAC 52J .0201(d)(2) for failure to store all open bags of food in airtight containers with lids as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

\$200.00 for violation of 02 NCAC 52J .0201(e) for failure to provide for the daily removal and disposal of animal and food waste so that the facility was maintained in a clean and sanitary manner as observed on August 23, 2024

\$100.00 for violation of 02 NCAC 52J .0203(a)(1) failure to maintain the concrete walkways so that they were sealed and impervious to moisture as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

\$100.00 for violation of 02 NCAC 52J .0203(a)(2) for failure to keep the gravel in the exercise areas in a sanitary manner as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

\$200.00 for violation of 02 NCAC 52J .0204(b) for failure to replace damaged wood in primary enclosures and other areas where animals had access so that the animals no longer had contact with the wood as noted on August 23, 2024

\$100.00 for violation of 02 NCAC 52J .0204(h) for failure to maintain the surfaces of the resting surfaces so that they were able to be easily sanitized and did pose a risk of injury to the animals as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

\$200.00 for violation of 02 NCAC 52J .0205(a) for failure to feed a boarding cat at least once in a 24-hour period as observed on August 23, 2024

\$3,000.00 for 15 violations (\$200.00 per violation) of 02 NCAC 52J .0206(a) for failure to provide continuous access to water to 16 animals (housed in 15 enclosures) as observed on August 23, 2024

\$200.00 for violation of 02 NCAC 52J .0207(a) for failure to properly clean the primary enclosures a minimum of two times per day as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

\$200.00 for violation of 02 NCAC 52J .0207(b) for failure to take adequate measures to protect animals in clean enclosures from being contaminated with water and other wastes as observed on August 23, 2024

\$100.00 for violation of 02 NCAC 52J .0207(d)(4) for failure to properly clean the exercise areas as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

\$200.00 for violation of 02 NCAC 52J .0207(e) for failure to control the weeds and grasses on the premises as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

\$200.00 for violation of 02 NCAC 02 NCAC 52J .0207(f) for failure to maintain an effective program for the control of insects as observed on August 23, 2024

\$200.00 for 2 violations (\$100.00 per violation) of 02 NCAC 52J .0209(7)(a) for failure to document the provision of daily social interactions and enrichment for 2 dogs as observed on August 23, 2024. This violation was previously cited during the January 8, 2024 FCI

\$5,300.00 TOTAL AMOUNT ASSESSED

Continued or future violation of the statutes or regulations referenced in this letter will be considered a willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such willful disregard or violation may result in action against your facility's license pursuant to NCGS § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under NCGS § 19A-40.

NOTICE of WARNING

As to the remaining violations of 02 NCAC 52J .0102(6); .0202(d); and .0204(a), this Warning Letter serves as written notice indicating in which respects the kennel may have violated the NC Animal Welfare Act and the rules issued pursuant thereto.

Continued or future violation of these statutes or regulations will be considered a willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such willful disregard or violation may result in action against your facility's registration pursuant to N.C. General Statute § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under N.C. General Statute § 19A-40.

(See Appendix for text of referenced General Statutes and Administrative Code)

September 9, 2024

Date



Patricia Norris, DVM, MS
Director, Animal Welfare Section
North Carolina Department of
Agriculture & Consumer Services

Appendix

REFERENCED LAWS AND REGULATIONS

§ 19A-28. License required for public auction or boarding kennel.

No person shall operate a public auction or a boarding kennel unless a license to operate such establishment shall have been granted by the Director. Application for such license shall be made in the manner provided by the Director. The license period shall be the fiscal year and the license fee shall be seventy-five dollars (\$75.00) for each license period or part thereof beginning with the first day of the fiscal year.

§ 19A-30. Refusal, suspension or revocation of certificate or license.

The Director may refuse to issue or renew or may suspend or revoke a certificate of registration for any animal shelter or a license for any public auction, kennel, pet shop, or dealer, if after an impartial investigation as provided in this Article he determines that any one or more of the following grounds apply:

- (1) Material misstatement in the application for the original certificate of registration or license or in the application for any renewal under this Article;
- (2) Willful disregard or violation of this Article or any rules issued pursuant thereto;
- (3) Failure to provide adequate housing facilities and/or primary enclosures for the purposes of this Article, or if the feeding, watering, sanitizing and housing practices at the animal shelter, public auction, pet shop, or kennel are not consistent with the intent of this Article or the rules adopted under this Article;
- (4) Allowing one's license under this Article to be used by an unlicensed person;
- (5) Conviction of any crime an essential element of which is misstatement, fraud, or dishonesty, or conviction of any felony;
- (6) Making substantial misrepresentations or false promises of a character likely to influence, persuade, or induce in connection with the business of a public auction, commercial kennel, pet shop, or dealer;
- (7) Pursuing a continued course of misrepresentation of or making false promises through advertising, salesmen, agents, or otherwise in connection with the business to be licensed;
- (8) Failure to possess the necessary qualifications or to meet the requirements of this Article for the issuance or holding of a certificate of registration or license.

The Director shall, before refusing to issue or renew and before suspension or revocation of a certificate of registration or a license, give to the applicant or holder thereof a written notice containing a statement indicating in what respects the applicant or holder has failed to satisfy the requirements for the holding of a certificate of registration or a license. If a certificate of registration or a license is suspended or revoked under the provisions hereof, the holder shall have five days from such suspension or revocation to surrender all certificates of registration or licenses issued thereunder to the Director or his authorized representative.

A person to whom a certificate of registration or a license is denied, suspended, or revoked by the Director may contest the action by filing a petition under G.S. 150B-23 within five days after the denial, suspension, or revocation.

Any licensee whose license is revoked under the provisions of this Article shall not be eligible to apply for a new license hereunder until one year has elapsed from the date of the order revoking said license or if an appeal is taken from said order of revocation, one year from the date of the order or final

judgment sustaining said revocation. Any person who has been an officer, agent, or employee of a licensee whose license has been revoked or suspended and who is responsible for or participated in the violation upon which the order of suspension or revocation was based, shall not be licensed within the period during which the order of suspension or revocation is in effect.

§ 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

02 NCAC 52J .0102 RECORDS; BOARDING KENNELS

Operators of boarding kennels shall maintain records of all dogs and cats showing the following:

- 6) in the event of either an animal death or escape, the licensee shall notify the Animal Welfare Section within 48 hours.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. September 1, 2022.

02 NCAC 52J .0201 GENERAL

(a) Housing facilities for dogs and cats shall be structurally sound and maintained in good repair to protect the animals from injury, contain the animals and restrict the entrance of other animals and people.

(d) Storage of food and bedding:

- (2) all open bags of food and edible treats shall be stored in airtight containers with lids;

(e) The facility shall provide for the daily removal and disposal of animal and food waste, soiled bedding and debris from the facility in accordance with local ordinances, to assure the facility will be maintained in a clean and sanitary manner.

History Note: Authority G.S. 19A-24; 19A-30(3); Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. October 1, 2022.

02 NCAC 52J .0202 INDOOR FACILITIES

(d) Interior building surfaces of indoor facilities with which animals come in contact shall be constructed and maintained so that they are impervious to moisture and can be readily sanitized.

History Note: Authority G.S. 19A-24; 19A-30(3); Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. September 1, 2022.

02 NCAC 52J .0203 OUTDOOR FACILITIES

(a) In outdoor facilities that are subject to the Animal Welfare Act, primary enclosures, common areas and walkways with which an animal comes in contact:

- (1) shall have groundcover constructed of sealed concrete or other surfaces so long as it is impervious to moisture, and/or;
- (2) may use gravel for groundcover so long as it is maintained at a minimum depth of six inches and maintained in a sanitary manner as prescribed in Rule .0207 of this Subchapter.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. March 23, 2009; January 1, 2005; Readopted Eff. September 1, 2022.

02 NCAC 52J .0204 PRIMARY ENCLOSURES

(a) Primary enclosures and exercise areas shall be constructed so as to prevent contamination from waste and wastewater from animals in other enclosures. All surfaces with which an animal comes in contact shall be impervious to moisture excluding the ground cover options of gravel and grass allowed for in Rule .0203 of this Section.

(b) For primary enclosures and exercise areas placed into service on or after January 1, 2005, no wood shall be within the animal's reach. For primary enclosures and exercise areas in use in a licensed or registered facility prior to January 1, 2005, any damaged wood shall be replaced in a manner that does not permit contact with wood by the animal.

(h) Each primary enclosure and exercise area shall be provided with a solid resting surface or surfaces adequate to comfortably hold all occupants of the primary enclosure and exercise area at the same time. All resting surfaces shall be of a non-porous or easily sanitized material, such as a solid floor, towel, or a disposable material such as newspaper. The resting surface or surfaces shall be elevated in primary enclosures housing two or more cats.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985; Readopted Eff. September 1, 2022.

02 NCAC 52J .0205 FEEDING

(a) Adult dogs and cats and puppies and kittens older than six months shall be fed at least once each 24-hour period.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985; Readopted Eff. October 1, 2022.

02 NCAC 52J .0206 WATERING

(a) Animals shall have continuous access to fresh, potable water, except as might otherwise be required to provide adequate veterinary care.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. September 1, 2022.

02 NCAC 52J .0207 SANITATION

(a) Waste shall be removed from primary enclosures, exercise areas and common areas to prevent contamination of the dogs or cats contained therein and to reduce disease hazards and odors. Enclosures and exercise areas for dogs and cats shall be properly cleaned a minimum of two times per day. The animal must be able to walk or lie down without coming in contact with any waste or debris.

(b) When a hosing or flushing method is used for cleaning an enclosure, dogs or cats contained therein shall be removed during the cleaning process, and adequate measures shall be taken to protect the animals in clean enclosures from being contaminated with water and other wastes.

(d) Sanitation shall be as follows:

- (4) common areas, any area accessible to multiple animals and exercise areas not covered by 02 NCAC 52J .0207(d)(3) shall be kept clean and sanitary. These areas are to be properly cleaned a minimum of two times per day. Hard and/or impervious surfaces of these areas

shall be sanitized a minimum of once every seven days in the manner provided in Subparagraph (d)(3) of this Rule;

- (5) food and water receptacles shall be sanitized daily with hot water, detergent, and disinfectant. The disinfectant shall be used consistent with the manufacturer's directions;
- (6) soiled linens and cloth products shall be mechanically washed with detergent and sanitized;
- (7) any area accessible to multiple animals shall be kept clean and sanitary; and
- (8) fans, including floor fans, ceiling fans, wall fans, vent fans, etc. shall be kept clean of accumulated debris, dust and biological material.

(e) Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this Rule. Premises shall remain free of accumulations of trash, junk, waste products, and discarded matter. Weeds, grasses, and bushes must be controlled so as to facilitate cleaning of the premises and to improve pest control, and to protect the health and well-being of the animals.

(f) An effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985; Readopted Eff. September 1, 2022.

02 NCAC 52J .0209 CLASSIFICATION AND SEPARATION

Animals housed in the same primary enclosure or confined to an exercise area shall be maintained in compatible groups, with the following additional restrictions:

- (7) Animals in long term care must be provided with human interaction other than interaction for enclosure cleaning, same species social interaction, opportunity for play and exercise, and environmental enrichment daily. The provision of these daily interactions and enrichment shall be adequate for the animal's species, age, size and behavior needs. In addition:
 - (a) The provision of the daily social interactions and enrichment shall be documented in the animal's records and the records maintained for three years; and

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. September 1, 2022.