Investigation of slaughter horse auctions and feedlots in Colorado and the transport of slaughter horses from Colorado to Texas

1) Centennial Livestock Auction, Fort Collins, Colorado

8/19/2009

Location:
113 NW Frontage Rd
Fort Collins, CO 80524

Management:
Wayne L. Kruse (owner/manager)
(970) 482-6207
970) 416-7302 fax
www.claauction.com

Market Schedule:
Sale days are Wednesday, Thursday and Friday. Horses are sold only on Wednesdays.

Veterinarian:
There is a Veterinarian and several brand inspectors present at the auction.

Local Humane Society:
Larimer County Humane Society
6317 Kyle Avenue, Fort Collins
970-226-3647

Observations:
We arrived at the auction at 10:30am. The parking lot was not crowded yet and there were only a few visitors looking at animals from the outside catwalk. We noticed a sign stating that the auction is a member of the Weld County Livestock Association. Walking around in the outside pen area we counted several hundred sheep and goats and some pigs. All outside pens had access to food and water for the animals.

1:00pm
More and more pick up trucks with horse trailers arrived and unloaded their horses. Charles Carter, a known kill buyer, arrived at 1:30pm with his white pick up truck and stock trailer. He had a few horses on the trailer, but did not unload them.

Three tractor trailers were parked next to the loading ramp, one of them with a double deck trailer:

- Clark Livestock DOT 1552870
- Kuntz Ranches DOT 1154206
- Livestock Trucking DOT 148605

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We counted 18 horses in the outside pen area. Most of them were in ok condition, some of them were thin.

At 3:15pm, the auction employees started moving the horses. The handling was calm and all employees used moving paddles.

Horse sale started at 3:40pm. The auctioneer announced that all horses are sold by the pound, unless he would specifically say otherwise. Possible “slaughter” horses sold between 0.15 and 0.26 cents/100lbs. Charles Carter was present and bought 10 of the 18 horses sold.

The sale was over at 4:06pm. Everybody started to head out to the parking lot. The tractor-trailers all loaded sheep or goats. Especially the driver of the double deck trailer truck was very rough while moving the animals, he excessively used his electric prod to make them move faster.

At 4:30pm, Carter’s pick up truck backed up to the loading dock. Not all the horses he purchased had room in his trailer, therefore he loaded some of them into the trailer of a second white pick up truck.
Both trucks finished loading at the same time and left the auction together at 4:50pm. We followed them to Carter’s new feedlot outside of Kersey, CO. Both trucks unloaded their horses. Afterwards, there was no more activity for the rest of the night.

2. Charles Carter feedlot, Kersey, Colorado

Additional information:

Charles Carter is Colorado’s main buyer for slaughter horses. He ships several loads of horses per week to both Canada and Mexico.

On September 27, 2006 one of his double deck trucks loaded with 41 horses overturned in Missouri. The truck was on its way to the Cavel plant in Illinois. 16 horses were killed in the accident; the surviving ones were rescued by the local humane society. An investigation carried out by Animals’ Angels in 2007 revealed that despite the severe accident Carter was still using double deck trailers to transport horses and his driver was still violating the Federal Motor Carrier Safety regulations. Specifically, the driver went over the maximum hours he was legally allowed to drive – putting the American public and the horses inside his trailer at risk. Animals’ Angels filed a complaint and the Department of Transportation conducted a compliance review on March 14, 2008. They found the following violations:

<table>
<thead>
<tr>
<th>Primary Federal Regulation</th>
<th>Secondary Federal Regulation</th>
<th>Violation Description</th>
<th>Violation Type</th>
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<tbody>
<tr>
<td>391.51(A)</td>
<td></td>
<td>Failing to maintain driver qual. file on each driver</td>
<td>C</td>
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<tr>
<td>396.11(A)</td>
<td></td>
<td>Failing to require driver to prepare vehicle inspection report</td>
<td>C</td>
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<tr>
<td>395.8(A)</td>
<td></td>
<td>Failing to require driver to make a record of duty status</td>
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Carter has given up his old feedlots in Longmont and Fort Collins and moved on to a new, more secluded location.

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8/20/2009
Location:
22895 County Road 53
Kersey, CO 80644

Observations:
The large feedlot is in a rural area and partially obscured by a privacy fence and trees. The pen area set back off the road approx. 300-400 yards. There is a sign “Rope the Rockies” in front of the driveway. Carter rents the property which includes a small house and some barns. Four trucks and five trailers were parked on the premises. There were approximately 250 horses and some cows at the feedlot, divided in different, large pens. All horses had access to water and some bad looking hay. In the back of the property is an open pit full with bones and decaying carcasses.

At 9:30am, one of the trucks with a double deck trailer backed up to the loading ramp and immediately started to move the horses. At 10:09am, we could hear the agitated horses kicking and hitting the sides of the trailer as they were loaded on the both decks. Once he was finished, the driver pulled away from the ramp and a second truck with a double deck trailer started loading. At 10:15am, the first truck left the premises. We decided to stay and wait for the second truck to leave. At 10:55 am, the second truck left and started heading south to CR-49.

DOT Number: 1373008
License plate trailer: WYG 642
Distance to destination: 629 Miles

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At 11:41am, he continued driving on I-79. We had a hard time following him, because he was driving at a speed exceeding 90 MPH. The horses were kicking and carrying on inside the trailer and the truck was waving across the traffic lanes, sometimes even driving off the road with one tire. (Video documentation available)

During the entire trip, the driver only took three 5 minute breaks, one at a Burger King, one to check his truck on RT-287 and one at a gas station on US-60. Not once did he check on the horses.

9 CFR Sec. 88.4 Requirements for transport.
(b) During transit to the slaughtering facility, the owner/shipper must:
(1) Drive in a manner to avoid causing injury to the equines;
(2) Observe the equines as frequently as circumstances allow, but not less than once every 6 hours, to check the physical condition of the equines and ensure that all requirements of this part are being followed.

At 5:15pm (MT), the truck crossed into Oklahoma and continued to drive south on 385. At 10:35pm (MT), the truck arrived at the Beltex slaughter horse collecting facility in Morton, TX. (For more details please see Morton feedlot investigative report)

Violation of the Federal Motor Carrier Safety Regulations 49 CFR, Part 395.3 (Hours of Service):
(a) No motor carrier shall permit or require any driver used by it to drive a property-carrying commercial motor vehicle, nor shall any such driver drive a property-carrying commercial motor vehicle:
(a)(1) More than 11 cumulative hours following 10 consecutive hours off duty

Conclusion:

The trailing revealed that Charles Carter’s horse transports do not fulfil the requirements set forth in the Commercial Transport of Equines to Slaughter Regulations and remain a safety concern to the public.

3. Southern Colorado Livestock Auction
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8/27/2009

Location:
5660 W Highway 160
Monte Vista, CO 81144

Owner/Manager:
John Malouff
719-852-9500

Sale Schedule:
Every Thursday at noon

Additional information:
Owner/shipper certificates obtained by Animals’ Angels indicate that M & M Livestock shipped large numbers of slaughter horses from Monte Vista to Texas and New Mexico for the Beltex Corporation.

Observations:

We arrived at the auction premises at 11:00am. The small auction consists of a barn with sale ring, office and restaurant as well as an indoor and outdoor pen area.

The barn area with the indoor pens appeared old and run-down. There was no access to water for the animals or any fans to cool the air. The indoor pens were used to keep calves, sheep and goats. Especially the sheep pens were extremely overcrowded; the animals did not have room to lay down.

The horses were unloaded directly into the outdoor pen area and moved by an auction employee on a horse. There were 19 horses for sale that day, most of them in ok condition.

The sheep and the goats were sold first. The handling was extremely rough and the animals were pulled into the auction ring by one of their hind legs or the tail. We also observed that workers slammed the wooden gates on the sheep or poked them in the face with a stick.
The horse sale started at 2:06pm and ended at 2:46pm. Nobody purchased more than three horses. There was nothing that indicated the presence of a kill buyer. We waited and observed the loading of the horses by the different buyers. Again, nothing looked suspicious. We left the premises at 5:00pm, since there was no more activity.

4. Winter Livestock Auction, La Junta, CO

8/2/2009

Location:
30425 East Highway 50
La Junta, CO 81050

Owner/Manager:
John Campbell
719-384-4491

Sale Schedule:
The auction holds sales every Tuesday, Wednesday and Friday. The horse sale is always on the last Friday of the month.

Observations:
We arrived at the auction at 9:00am. The large auction has an extensive open pen area and a modern sale building with offices and a restaurant. A brand inspector is present on sale days.

The parking lot was already quite crowded and horse trailers were lined up in front of the pen area waiting. The horses were unloaded straight into the pens and then moved by an employee on a horse. We noticed one truck with an empty double deck trailer parked on the premises (Trucking Company: Dennis Chinn, DOT 279114)

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We started walking through the pen area and counted close to 100 horses in the pens. There was no shelter available and only some of the pens contained water for the animals. The riding horses were put in different pens than the potential slaughter horses. Several of these horses were thin or limping.

At 9:30am, the potential slaughter horses were moved closer to the auction ring. The employees used moving paddles or walking sticks and the handling was calm and satisfactory.

We went to the auction ring to observe the bidding. Immediately we noticed Charles Carter, he was sitting straight in front of the auctioneer. The auction started at 9:45am and 87 horses sold in 45 minutes. Carter and two men sitting next to him were buying more than 15 horses each.

At 1:00pm, the riding horse sale started. Again, Carter, and the two other buyers bought all the cheap horses.
The sale was over at 2:45pm and buyer 101 ended up buying 23 of the 99 horses sold that day, buyer 105 bought 18 horses and buyer number 120 bought 20 horses. The average price was 284.00 USD.

Carter immediately went to the office and paid. His pick up truck was one of the first who backed up to the pens. He loaded all his horses into his stock trailer and left the auction at 3:00pm and started heading north. We decided not to follow him, because he was most likely returning to his feedlot.

In the meantime, the truck with the double deck trailer had pulled up to the loading ramp. We watched him finish loading and noticed that he had loaded the horses on both decks of the trailer. The horses were very agitated and kicking inside the trailer. We observed several on the lower deck hitting their heads with full force on the low ceiling.

The truck left the premises at 3:21pm and started driving east. At 4:10 he started heading south. We realized soon that the truck was heading to the Morton feedlot in Texas. He went the exact same route the Carter truck took a week before.
Conclusion:

The investigation confirmed that inhumane double deck trailers are still commonly used for slaughter horse transport.