



Investigation at the Kalona Horse Auction, Iowa February 2, 2009

I. General Information

Date:

2/2/2009

Location:

Kalona Sale Barn

121 9th Street

Kalona, IA 52247

319-656-2222

www.kalonasalesbarn.com

Sales:

- Horse sale: first Monday of each month 11:00am
- Sheep, goat, pig, poultry and small animal sale: Wednesdays 9:00am
- Cattle sale: Thursdays 9:00 am

Owner/Operators:

Devin & Lavaughn Mullet

Market Veterinarian:

Ken Harris

Humane Society:

Washington County Humane Society

1004 West Madison Street

Washington, IA 52353

319-653-6713

II. Observations:

2/2/2009

8am:

The parking lot of the auction was already crowded; many out of state trucks were observed, some from as far away as Texas, Colorado or Virginia. Several out of state trucks were observed without DOT number displayed.

Clouse Stables, Richmond, KY, DOT 1235648

Duncan Farms, Fort Scott, KS, DOT 593645

D. Marg, Black River Falls, WI, DOT 1421190

J. Dunbar, Moberly, MO, DOT 1530538

De Berg Farms, Ackley, IA, DOT 725290

Edmundson Farms, Humphreys, MO, DOT 1512567

Copyright Animals' Angels Inc.

Becker Auto Transport Inc, Hayward, MN, DOT 589012
Keith Tongen, Brownton, MN 447051, DOT 447051

Two trucks and trailers owned by the Kalona Livestock LLC were parked in front of the side entrance to the barn. (DOT 935105)

Information about the auction:

The Kalona horse sale is the largest in the Midwest. There are two auction rings, a restaurant and three separate offices for management, employees and the market veterinarian. The animals are kept in a extensive indoor/outdoor pen area. A catwalk oversees the main barn.

9:00am

The tack/outside equipment sale started. In front of the loading ramps was a line of trucks waiting to unload their horses. It soon became obvious that all “loose” horses were put into the outside pen area. A sign over the loading ramp stated that all “loose” horses were being sold “as is” We walked over to the outside pens. Horses of all size, breed, age and gender were put together into these pens and they were extremely agitated. We noted one horse with a fresh fetlock joint injury on her right fore limb.



One mare was desperately trying to protect her colt from the other horses, she was kicking and biting every horse that came to close. The two should have been put into a separate pen to avoid the risk of injuries.

All horses had access to hay and water. At 11:00 am, the riding horse sale started. We counted approx. 480 horses at the auction, of which 350 were in the kill pens.

12:08am:

A Canadian truck with an empty double deck trailer arrived at the auction and parked next to the loading ramps. Soon thereafter, a Minnesota truck with a single deck arrived.

DOT 731887
O'Rourke Transport Inc.
Dublin, Ontario



Canadian truck and double deck trailer



MN truck with single deck trailer

The auction employees moved some of the “loose” horses to the inside; for unknown reasons and despite the fact that there were sufficient other pens available, they put them into three pens with ceilings too low for horses. In addition, they overcrowded the pens. The frightened horses were fighting and hitting their heads with full force on the low ceiling beams. (*Video documentation available*) We were surprised to see that no horse went down or fractured the skull. Attached to the ceiling beams were several burning light bulbs. The horses crushed these light bulbs with their heads within minutes and two horses obtained forehead injuries from the broken glass.



717.2 Livestock neglect.

1. A person who impounds or confines livestock, in any place, and does any of the following commits the offense of livestock neglect:

a. Fails to provide livestock with care consistent with customary animal husbandry practices.

b. Deprives livestock of necessary sustenance.

c. Injures or destroys livestock by any means which causes pain or suffering in a manner inconsistent with customary animal husbandry practices.

2. A person who commits the offense of livestock neglect is guilty of a simple misdemeanor. A person who intentionally commits the offense of livestock neglect which results in serious injury to or the death of livestock is guilty of a serious misdemeanor.

3:00 pm

The riding horse sale ended. The employees moved the “loose” horses closer to the auction ring. Some employees were observed hitting the horses with wooden sticks across the face or on legs and hips as hard as they could. Again, by far too many horses were crammed into the pens. The fighting and kicking was terrible. (*Video documentation available*)



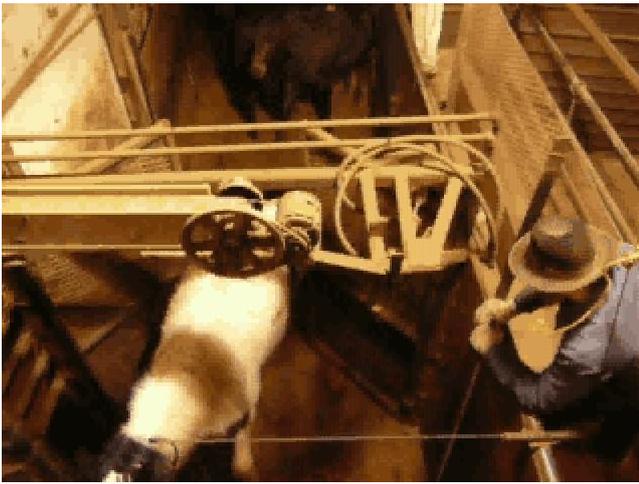
3:50 pm

The “loose” horse sale started. The employees moved groups of horses together through the narrow alleys leading to the auction ring. Right before the ring entrance, the horses were divided via a massive, very heavy, extremely noisy, hydraulic gate. An employee opened and closed the gate by pushing a button. The horses were terrified and panicked. Several were crushed by the gate or crashed into the gate with full force; others hit their heads on the metal tubing; some appeared dazed after hitting the gate. (*Video documentation available*)



Horse crushed in between gate

Horses terrified before entering gate



Another horse crushed in between gate



Auction employee hitting horses' head

717.2 Livestock neglect.

1. A person who impounds or confines livestock, in any place, and does any of the following commits the offense of livestock neglect:
 - a. Fails to provide livestock with care consistent with customary animal husbandry practices.
 - b. Deprives livestock of necessary sustenance.
 - c. Injures or destroys livestock by any means which causes pain or suffering in a manner inconsistent with customary animal husbandry practices.
2. A person who commits the offense of livestock neglect is guilty of a simple misdemeanor. A person who intentionally commits the offense of livestock neglect which results in serious injury to or the death of livestock is guilty of a serious misdemeanor.

The handling observed was among the worst we ever witnessed at a horse auction. All 350 horses were sold in one hour and 28 minutes. (Note that it took almost four hours to sell 130 riding horse.

Immediately after the sale ended, the Canadian truck backed up to the loading dock. He started loading the horses at 5.36pm. We were relieved to see that he was loading them only onto one level of the double deck trailer. Once he was finished, he left the loading dock and parked. Becker Transport and Keith Tongen loaded next; it is possible that Becker Auto Transport loaded horses for Keith Tongen.

Additional Information:

On October 27, 2007, a double deck horse trailer delivering 59 Belgian draft horses Tongen had purchased at an "Amish community in northern Indiana" tipped over, and 19 horses died as a result of the crash. Tongen is scheduled for a pre-trial hearing on March 13, 2009 and has been charged with four counts of cruelty to animals.(510ILCS70/3.01, Class A) and one count of animal owner duty (510ILCS70/3, Class B)

All three trucks left the auction premises together and started heading north.



Conclusion:

The investigation revealed extremely poor conditions and unacceptable handling of slaughter horses at the Kalona auction.