

Investigation at Shipshewana Auction August 18-20, 2010

Location:

345 South Van Buren Street
Shipshewana, Indiana 46565
260-768-4129

Owner:

Keith and Kevin Lambright

Market schedule:

Friday 10:00 am Horses
Wednesday 2:00 pm Livestock

Veterinarian:

Dr. Jeff King
620 E. Lake St.
Topeka, IN 46710

Background Information:

The aim of the recent investigation was to check if the animal handling and the conditions for animals at the auction have improved since our last visit in September 2009. Back then, investigators documented inadequate & cruel treatment of animals by auction employees. Specifically, one of the auction employees used a sheep for what appeared to be martial arts training, kicking and hitting the sheep multiple times to the head and face.



The incident was reported to the market owner, local law enforcement, the State Veterinarian, the Livestock Marketing Association and the House Agricultural Committee. As a result, the employee was fired and all other employees received humane handling training. Keith Lambright, owner of Shipshewana Auction Inc. apologized publicly for the actions of his employee. **Quote:** “Shipshewana Auction supports the proper and ethical treatment of animals and in no way tolerates the mistreatment of any animal that enters our facility. Once again, we apologize...”

2. Observations:

8/18/10 Livestock Auction:

Investigators arrived at 10:00. The weather was sunny 83 degrees Fahrenheit and humid. The temperature inside the sale barn exceeded 83 degrees Fahrenheit and the facility had only one fan which was on, but it was completely inadequate to move air inside.

The auction was very crowded and had approximately 300 head of cattle to be sold, mostly Holstein dairy cows. None of the pens contained food or water. Some were extremely overcrowded. Many of the cows showed signs of heat stress, heavy panting, and foaming at the mouth. Apparently one of the pens was designated as a “slow pen”. Every cow that arrived at the auction limping, emaciated or otherwise compromised was put into this pen. There were approximately 32 cows in this pen. Investigators noted that two cows were down, foaming at the mouth and panting heavily.



Workers walk past these cows several times, but no one stops to check on the suffering animals. Several of the cows in the slow pen were emaciated with body scores of ≥ 1.75 and locomotion scores of 1.0. Most of the cows that showed signs of lameness were unable to bear weight on all four legs. Some cows were holding one of their legs up and were trying to move on the remaining three – a condition which makes them unfit for transport, since these cows are likely to become downers on the trailer and being trampled by other cows.



Cow holding front leg up



A Black Angus bull was brought into the alley with a broken left front leg. The workers then ran the bull up and down the alley on three legs. Investigators noted one cow in the slow pen that was standing, but tried to avoid moving. She stood at the same spot for the entire afternoon, until workers moved all the cows out of the pen. The letter "S" was painted in red on her hips. (The investigators found out the next morning that she was not loaded onto the truck, but was left in the pen area instead. She had died sometime during the night)



Bull with broken front leg



Cow with unknown condition, died later.

At 16:45, the workers began moving the cows in the slow pen. All of the cows that were on their feet had some degree of lameness. Three cows did not get up (tag #'s 6105, 6015, 5982). After several minutes of prodding cows #6105 and 6015 rose to their feet, but #5982 was unable to get up. One worker pulled the tail and a second worker applied an electric stun gun to her rib area. After several applications of the stun gun, the cow unsteadily rose to her feet.



At 18:34, trucks began loading cattle. By 19:40, the loading was completed. Of note, one truck loaded Texas Longhorns with Holsteins without separating dividers. All the "slow" cows were picked up by the same company and loaded on a double deck trailer. It took a long time and excessive force to get these completely weakened animals on the loading ramp and into the upper level of the trailer. The cows struggling on three legs were among the ones loaded. One can only imagine how many of them would be able to endure the transport to the slaughter plant without becoming non-ambulatory en route.

The investigators were getting increased attention and decided to leave the premises in order to be able to return for the horse sale.

8/19/10

The investigators returned to the auction premises at 08:00. In one of the pens visible from the outside they found two dead cows and a thin horse confined in the pen with them. They identified one of the cows as the cow from the slow pen with the red letter "S" on her hips. There was no water in the pen. There is no explanation to why the auction would force a horse to be in a pen with two carcasses, while there were many empty pens available.



8/20/10 Horse Auction:

The investigators arrived at the auction at 8:30 to watch the unloading of the arriving trailers from the catwalk. Again, none of the pens had any water available.

At 9:00, a trailer with Michigan plates backed up to the loading dock. The horse inside the trailer was down. After a while, someone managed to get her up and unload her from the trailer. Her right front leg appeared broken and her overall condition was poor. Despite her condition, one of the workers tagged her for sale (tag # 683) and walked her to one of the empty pens.



A few minutes later, she collapsed and went down. At first, she tried to get back up, but then she laid flat on her side.



She remained in this position for almost an hour. In the meantime, workers were walking by and moving horses into the pens next to her. Nobody addressed her condition. At 9:50, one of the workers finally went to the office and returned with someone who apparently acted on behalf of auction management.

He briefly looked at the horse and then told a worker to get her up. Once she was standing, both men pushed her along the alley, all the way to one of the exit pens. The horse was in obvious distress and they had to push & drag with full force to make her move.





The one man then left and returned with Mr. Lambright, owner of Shipshewana auction. Mr. Lambright looked at the horse and appeared to be very upset that his workers had unloaded the horse at his facility. After a few minutes, the trailer that had brought the horse to the auction, pulled up next to the pen gate. Mr. Lambright and the two other men then walked the horse outside and pushed it back into the trailer.

When confronted by one of the investigators, Mr. Lambright denied all responsibility and stated "You take it up with her!" (Referring to the owner of the horse) After talking to the investigator, the owner agreed to have the horse euthanized immediately.

Shortly thereafter the "loose" horse sale started. Shipshewana does not take horses that are designated as slaughter horses to the arena. Instead, the kill buyers gather in the pen area in the back and the horses are sold within minutes. Lambright and the other man joined the kill buyers here, making fun of horses in poor condition and joking about one horse that was blind in both eyes. Jeron Gold, owner of "Roping J Ranch" and one of the nations main slaughter buyers, purchased many of the horses going through the sale.





3. Conclusion

The investigation revealed multiple areas of concern:

- No water available
- Overcrowded pens
- Cows walking on three legs accepted for sale and loaded onto double deck trailer
- Use of stun gun on downed cow
- Cows apparently left to die in pen, no euthanasia provided
- Horse left in pen with two carcasses
- Horse in need of immediate euthanasia loaded back onto trailer. Especially concerning is the fact that the auction owner actively participated in the mistreatment of this horse and tolerated her being loaded back onto the trailer.

Indiana Code 35-46-3-7 Abandonment or neglect of vertebrate animals

Sec. 7. (a) A person who:

- (1) has a vertebrate animal in the person's custody; and
- (2) recklessly, knowingly, or intentionally abandons or neglects the animal; commits cruelty to an animal

IC 35-46-3-0.5, Definitions

(4) "Neglect" means:

(A) Endangering an animal's health by failing to provide or arrange to provide the animal with food or drink, if the animal is dependent upon the person for the provision of food and drink.

(D)

- (i) Failing to provide reasonable care for; or
- (ii) Seek veterinary care for;