

Animals' Angels Investigation of the Slaughter Horse Export from Presidio, TX to Mexico September 2012

Texas Export Pens located at:
Cattle Drive, Presidio, TX

Pens:
C4 Cattle Company/ Baeza Cattle Company/ Ruben Brito



Horses from Presidio are delivered mainly to the following Mexican slaughter plants:

Inter Meats, S.A. DE C.V.
Avenida Universidad 602 Int. 19 Unidad Ganadera
Aguascalientes, AGS. Mexico 20130

Empacadora de Carnes de Fresnillo
Avenida Plateros No. 480
Colonia Centro, C.P. 99040
Fresnillo, Zacatecas

Empacadora de Ganadera de Camargo
Carretera Panamericana Km 64
Colonia Agricola Industrial, C.P. 33750
Cd. Camargo, Chihuahua

Carnicos de Jerez
Carretera Jerez – Sanchez Roman Km 27.5
C.P. 99380
Jerez, Zacatecas

Observations:

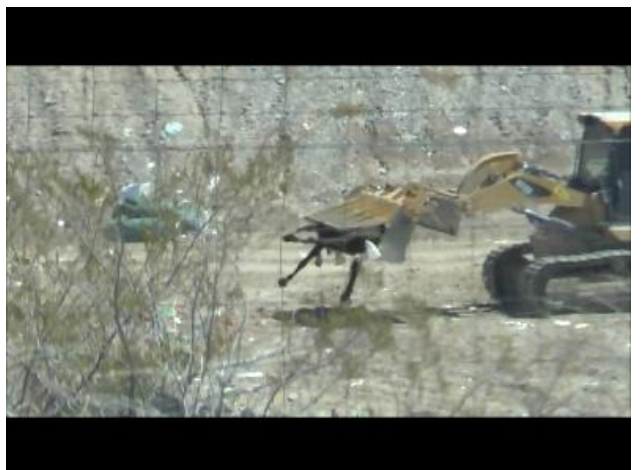
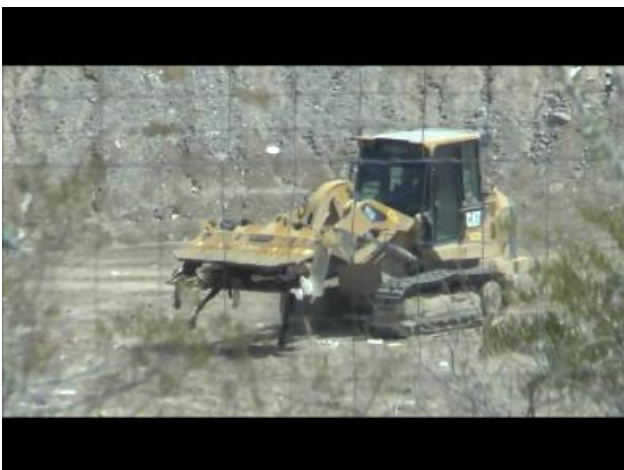
9/17/12

0818: Investigators arrived at the Presidio export pens. A FX Farms truck and single deck trailer from Antlers, OK (DOT 2279101) left the pens empty. FX Farms is operated by Donnie Flatt, who transports horses for kill buyer McDaniels & Son.

The C4 pens as well as the Brito pens were already full of horses that had been delivered over the weekend. Driving along the fence line, investigators were surprised to see dozens of vultures. They were flying over the pen area and sitting on fence posts in the morning sun.



Curious about what attracted them, investigators checked the landfill next door, only to find several horse carcasses. A skid loader was moving them to a hole, using the sharp end of his bucket to push them down into the hole before running over them with the skid loader. According to public documents, approximately 50 horses/month are brought to the landfill from the C4 pens alone.



1000: A red “BR Ranch” truck with single deck trailer from Whitesboro, TX backed up to C4. No DOT number was visible on the truck and a DOT search showed no matches for a trucking company with that name. However, kill buyer Bill Richardson, d/b/a/ Bill Richardson Quarter Horses (DOT 1703208) is based out of Whitesboro, TX. DOT records show that he has multiple DOT violations for fatigued driving with a very poor performance rating of 94,8%. (Threshold 65%). The truck appeared to have mechanical problems.



Investigators checked the horses inside the Ruben Brito pens. All horses had access to water and some hay. Workers distributed the hay equally along the fence line, allowing all horses to access it. Most of the pens still did not have shelter from the desert sun.



Several horses were thin with ribs showing. Several appeared very exhausted and were standing motionless with their eyes closed or lying flat on the ground.



1317: The first Mexican transport truck pulled into Ruben Brito's pens.

1330: A yellow and a red Mexican truck pulled into C4 and workers started rounding up the horses. The temperature had risen to 102 degrees Fahrenheit. To the investigators surprise, the trucks drove all the way to the back of the C4 property. Watching from a distance, investigators saw them backing up to loading ramps at the rear end of the pens, which did not happen during previous visits. There is no plausible explanation as to why these trucks are now loading out of the back, it might be an attempt to prevent observers from documenting handling and condition of the horses.

Several Sagarpa trucks arrived at the pens and Mexican veterinarians started inspecting the horses.

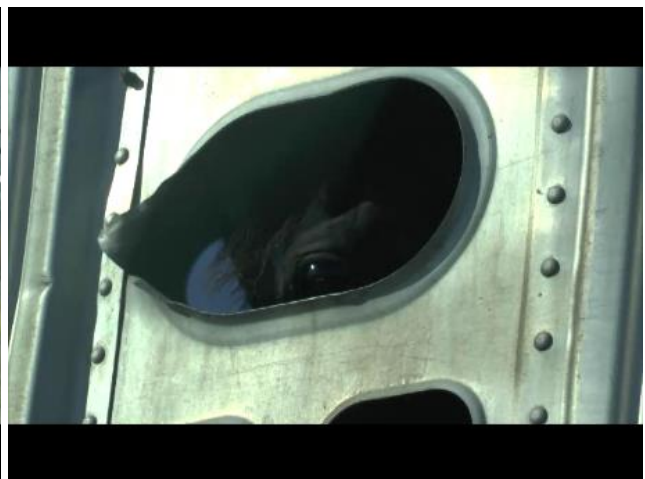
1615: One of the **newer, closed up Mexican trailers** backed up to the Brito loading ramp. Immediately, workers started to move horses up the ramp. They used whips and sticks to push them forward, one worker was observed hitting a horse in the face with full force. The horses were very agitated and rushed up the ramp.



Twenty minutes later the truck left the loading ramp and drove to the US customs broker. All trucks have to stop at the broker lot to have their paperwork checked, **which sometimes takes several hours**. In the meantime, the horses sit on the trailer. **While waiting for the go-ahead, the horses are confined on sealed trailers for hours, which is completely unacceptable**. The irritated horses are in direct afternoon sunlight with exterior temperatures averaging 98 degrees in the late summer months. Exterior temperatures combined with overcrowded metal trailers, still air and body heat create dramatically higher interior trailer temperatures. Dehydration and exhaustion are easily reached in environments such as this, and the stress, confinement and discomfort unnecessarily violates the exact regulations set in place to protect the horses.



1749: The trucks started heading to the border. There, they stop again to have their paperwork signed. Investigators parked next to the waiting trailers to observe the horses. The trailers were shaking and many of the horses inside were kicking and fighting. Others were standing motionless with their heads low.



1800: **7 trucks crossed into Mexico**. 1817: A white *Transporters Unidos* (DOT 634763) truck with a *Chavez* double deck trailer and red *Moreno* truck (DOT 2327265) that had loaded at the C4 pens

were the last ones to leave the broker lot. **Transporter Unidos is operating despite 395 violations for unfit drivers.**



Origin of horses / destination:

1) Triple Crown Ranch, Meeker, OK – Intermeats Plant, Aguascalientes

31 horses (28,195lbs)

Triple Crown Ranch received \$13,815.55 for these horses from Intermeats.

2) Beltex Corporation, Morton, TX – Fresnillo Plant

32 horses (26,062lbs)

Beltex received \$10,237.26 for these horses.

3) Triple Crown Ranch, Meeker, OK – Intermeats Plant, Aguascalientes

31 horses (28,445lbs)

Triple Crown Ranch received \$13,938.05 for these horses

4) Bill Richardson, Whitesboro, TX – Intermeats Plant, Aguascalientes

32 horses (32,790lbs)

Bill Richardson received \$16,067.10 for these horses.

5) McDaniel & Son, Brookston, TX – Jerez Plant

34 horses (29,920lbs)

Mc Daniel & Son received \$10,621.60 for these horses.

6) McDaniel & Son, Brookston, TX – Jerez Plant

32 horses (28,000lbs)

McDaniel & Son received \$10,220.00 for these horses.

7) Triple Crown Ranch, Meeker, OK – Intermeats Plant, Aguascalientes

32 horses (31,090lbs)

Triple Crown Ranch received \$13,679.60 for these horses



Truck with closed up sides and open top

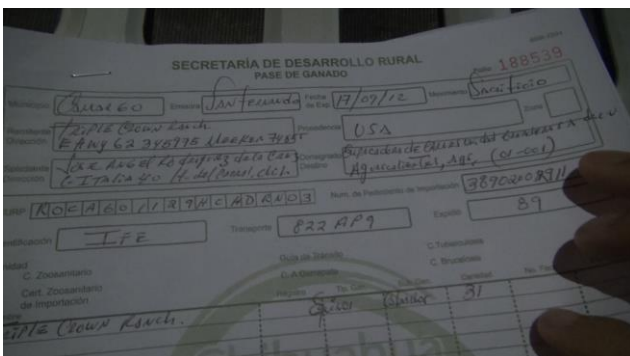
Investigators followed the truck with the closed up sides until it parked at a gas station, where they were able to film the horses inside the trailer. There were 7-8 horses per compartment, segregated by metal dividers. There is absolutely no protection from the elements.





While parked, the investigative team talked to the driver who told them that he was heading to the Camargo plant, which is approx. 3 hours away from the Presidio border crossing. Investigators therefore decided to follow a different group of trucks, heading to the plants in the Zacatecas area.

When the trucks stopped again, investigators were able to check the paperwork of one of the trucks. It confirmed that the truck was heading to the Aguascalientes plant, that 31 horses were loaded and that the horses originated at Triple Crown Ranch in Meeker, OK.



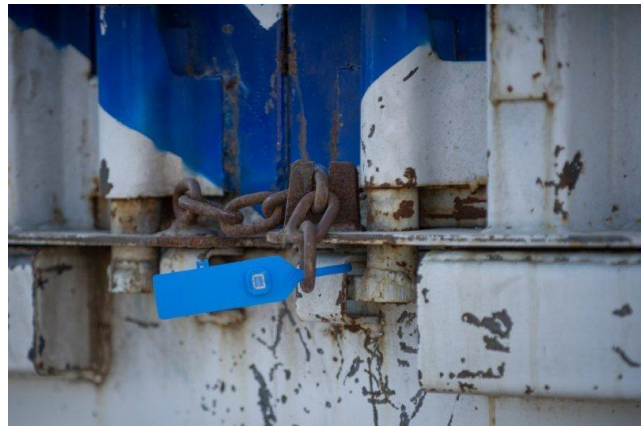


Many of the horses inside the trailers were holding their heads low. Some had yellow discharge dripping from their nostrils. Drivers were observed checking the condition of the horses inside the trailer.



9/18/12 Arrival at Intermeats plant in Aguascalientes, Mexico

The trucks arrived at the plant at 7:20am and the first truck backed up to the loading ramp. Someone from the plant checked the seal on the trailer before the door could be opened.



Several of the horses unloading were very thin. All horses were able to walk off the trailer. The truck finished unloading at 7:45am.

(Animals' Angels report about the Mexican slaughter plant investigation itself will be released November 2012)

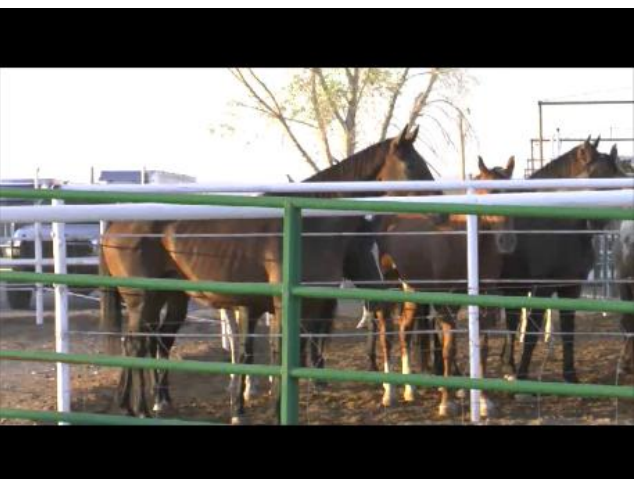
9/18/12 Presidio

0814: Cook Trucking from Stroud, OK (DOT 979769) and C&L Trucking (DOT 1765925) from Tecumseh, OK had unloaded and were parked at the C4 pens. A DOT search of Odessa Gouker, d/b/a C & L Trucking revealed that the performance rating for fatigued driving is at 99,5%, which is one of the worst ratings noticed so far. Cook Trucking's rating is at 85,3%.



Investigators continued to the Brito pens where a blue and a black truck with single deck trailers were parked empty. Montoya Trucking (DOT 444262) was backed up to the loading ramp. He had just finished unloading and workers were running horses across the scale. Several of the horses unloaded were thin and very nervous.

Montoya Trucking is based out of Los Lunas, NM and is shipping horses for kill buyer Dennis Chavez. Public records indicate that Chavez used to ship most of his horses via the Santa Teresa export pens in New Mexico. However, ever since Animals' Angels exposed his facility in March of 2012, he increased shipments to Presidio.

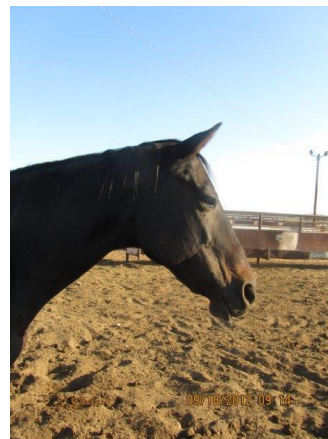
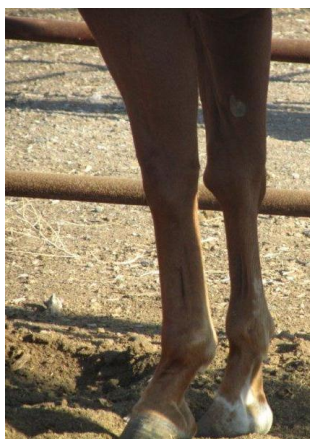




Once the horses had passed over the scale and were inside the pen area, they began eating and drinking immediately. Several of them appeared completely exhausted and laid down flat on their side in between all the other horses. 900: Montoya Trucking left the pens without rejects and immediately started heading north towards Marfa.



0920: Investigators decided to check on the old Ruben Brito pens inside town, since they had been told that they are used for rejected horses. There were 2 mares inside the pens, both had auction tags still attached to them. The one mare had strangles, her ribs were showing and appeared to just have foaled recently. She also had an injured rear left fetlock. The chestnut mare had a swollen right front knee. Both horses had access to water, but no shelter or food.



0938: Investigators returned to the export pens and saw another FX Farms ruck with single deck trailer arriving loaded at the Brito pens. The truck unloaded immediately and left the pens 30 minutes later. Three horses were loaded back onto the trailer. The driver then stopped at the Three Palms Motel for a quick breakfast. He appeared nervous, never let his truck out of sight and immediately left Presidio once he was finished.



1142: Two trucks with Mexican veterinarians arrived at the pens for inspection. Workers were moving horses and there was a lot of activity in all three pens. Investigators walked along the dried creek bed next to the pens to check for illegal disposal of dead horses. No horses were found, but they stumbled upon a horse skull.



1430: The 2 trucks which were observed earlier that day parked at the Brito pens, leave Presidio with rejects. One of the trucks could be identified as belonging to Troy Parrish, d/b/a/ Parrish Horse Company from Wagoner, OK (DOT 2270657), while the other blue semi with no DOT and Missouri plates remained unknown. Both trucks stopped at the “Stripes” gas station in Marfa. Investigators were able to check the condition of the rejects inside the trailer.

The Paint visible in the rear end of the Parrish trailer had a very enlarged front knee with irregular, lumpy appearance. The bay had a stretched out posture which indicated distress, keeping his head lowered to the trailer floor.

After the brief stop, the drivers jumped into their trucks and continued their travels.





VIOLATION SUMMARY & RECOMMENDATIONS:

Texas Penal Code Title 9 / 42.09. Cruelty to Animals

(a) A person commits an offense if the person intentionally or knowingly: (2) fails unreasonably to provide necessary food, care, or shelter for an animal in the person's custody;

Observation: No shelter available for the majority of the horses inside the Presidio export pens. The horses are inside these pens for 6+ hours and temperatures are known to exceed 100 degrees Fahrenheit.

Recommendation: Install tarps for sun protection

9 CFR § 88.3 Standards for conveyances.

(a) The animal cargo space of conveyances used for the commercial transportation of equines for slaughter must: (1) Be designed, constructed, and maintained in a manner that at all times protects the health and well-being of the equines being transported (e.g., provides adequate ventilation, contains no sharp protrusions, etc.).

Observation: Inappropriate conveyances are being used for transport. Closed up trailers do not have proper ventilation and sun protection (especially when the drivers are parked for hours fully loaded).

Recommendations: Immediately cease and desist using trailer that do not offer sufficient ventilation and protection from the elements.



Trucking Company Info & Violations

1) Montoya Trucking

FATIGUED DRIVING VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
395.3(a)(1)	Requiring or permitting driver to drive more than 11 hours	4	2	7
395.3(a)(2)	Requiring or permitting driver to drive after 14 hours on duty	5	2	7
395.8	Log violation (general/form and manner)	7	0	2
395.8(f)(1)	Driver's record of duty status not current	8	0	5
395.8(k)(2)	Driver failing to retain previous 7 days' logs	3	3	5

UNSAFE DRIVING VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
392.16	Failing to use seat belt while operating CMV	3	0	7
392.2P	Improper passing	1	0	5
392.2S	Speeding	2	0	5
392.2-SLLS1	State/Local Laws - Speeding 1-5 miles per hour over the speed limit	2	0	1
392.2-SLLS2	State/Local Laws - Speeding 6-10 miles per hour over the speed limit	3	0	4
392.2-SLLS4	State/Local Laws - Speeding 15 or more miles per hour over the speed limit	1	0	10
392.2-SLLSWZ	State/Local Laws - Speeding work/construction zone	1	0	10

2) Bill Richardson:

FATIGUED DRIVING VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
395.3(a)(1)	Requiring or permitting driver to drive more than 11 hours	1	1	7
395.3(a)(2)	Requiring or permitting driver to drive after 14 hours on duty	1	1	7
395.8	Log violation (general/form and manner)	3	0	2
395.8(a)	No driver's record of duty status	2	1	5
395.8(k)(2)	Driver failing to retain previous 7 days' logs	1	1	5



3) C & L Trucking:

FATIGUED DRIVING VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
395.3(a)(1)	Requiring or permitting driver to drive more than 11 hours	4	3	7
395.3(a)(2)	Requiring or permitting driver to drive after 14 hours on duty	7	5	7
395.8	Log violation (general/form and manner)	9	0	2
395.8(e)	False report of driver's record of duty status	3	3	7
395.8(f)(1)	Driver's record of duty status not current	20	0	5
395.8(k)(2)	Driver failing to retain previous 7 days' logs	4	4	5

UNSAFE DRIVING VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
392.2C	Failure to obey traffic control device	1	0	5
392.2LC	Improper lane change	1	0	5
392.2S	Speeding	3	0	5
392.2-SLLS1	State/Local Laws - Speeding 1-5 miles per hour over the speed limit	1	0	1
392.2-SLLS2	State/Local Laws - Speeding 6-10 miles per hour over the speed limit	3	0	4
392.2-SLLS4	State/Local Laws - Speeding 15 or more miles per hour over the speed limit	1	0	10
392.2T	Improper turns	1	0	5
392.60(a)	Unauthorized passenger on board CMV	2	0	1
392.71(a)	Using or equipping a CMV with radar detector	1	0	5

4) Cook Trucking:

FATIGUED DRIVING VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
395.3(a)(1)	Requiring or permitting driver to drive more than 11 hours	2	1	7
395.3(a)(2)	Requiring or permitting driver to drive after 14 hours on duty	4	1	7
395.8	Log violation (general/form and manner)	8	0	2
395.8(f)(1)	Driver's record of duty status not current	9	0	5
395.8(k)(2)	Driver failing to retain previous 7 days' logs	2	2	5



Mexican Transport Companies:

1. Moreno Trucking

DRIVER FITNESS VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
391.11(b)(2)	Non-English speaking driver	6	0	4

VEHICLE MAINTENANCE VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
393.45	Brake tubing and hose adequacy	2	2	4
393.9	Inoperative required lamps	2	0	2
396.17(c)	Operating a CMV without periodic inspection	3	0	4
396.3(a)(1)	Inspection/repair and maintenance parts and accessories	2	0	2

2. Transportes Unidos de NorteAmerica

DRIVER FITNESS VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
383.23(a)(2)	Operating a CMV without a CDL	1	1	8
391.11(b)(2)	Non-English speaking driver	258	0	4
391.11B2S	Driver must be able to understand highway traffic signs and signals in the English language	137	0	4

VEHICLE MAINTENANCE VIOLATIONS

Violation	Description	# Total Violations	# OOS Violations	Violation Weight
393.11	No/defective lighting devices/reflective devices/projected	32	0	3
393.11LR	Lower retroreflective sheeting/reflex reflectors - Trailer manufactured on or after 12/1/1993	1	0	3
393.11S	No side retroreflective sheeting/reflex reflectors - Trailer manufactured on or after 12/1/1993	1	0	3
393.17(b)	No/defective tow-away lamps on rear unit	2	0	6
393.19	Inoperative/defective hazard warning lamp	1	0	6
393.201(a)	Frame cracked / loose / sagging / broken	1	1	2
393.203(c)	Hood not securely fastened	6	0	2
393.205(c)	Wheel fasteners loose and/or missing	4	1	2
393.207(a)	Axle positioning parts defective/missing	1	1	7
393.207(b)	Adjustable axle locking pin missing/disengaged	4	0	7