

## **Animals' Angels USA**

**PO BOX 1056**

Westminster, MD 21158

Phone 410-848-3153 \* Fax 410-848-0213

[www.animalsangels.org](http://www.animalsangels.org)



**ANIMALS' ANGELS**

we are there with the animals

## **Investigation of horse auctions and feedlots in Southern California**

### **1. Euclid Auction**

**Date:**

8/2/2008

**Location:**

14185 S. Euclid Ave

Chino, CA 91710

**Schedule:**

Horse sale is every 1<sup>st</sup> Saturday of every month.

**Owner/Manager:**

Earl and Rhonda Graham

**Veterinarian:**

Available upon request.

**Humane Society:**

The Humane Society of San Bernadino Valley

374 West Orange Show Road,

San Bernardino, CA 92408

Phone: 909-386-1400

### **2. Observations**

**Facilities:**

The auction yard is comprised of one large barn-style building which fronts onto Euclid Ave. There is a large parking area at the front of the building with some parking along both sides of the building. Animals are kept in exterior pens at the back of the building, with some sheltered pens directly connected to the rear entrance of the auction. Slaughter horses are kept in pens 1, 2, 3, and 4 located in the area directly behind the building. The public is allowed to enter either the front or back of the auction building and to walk through some of the pen corridors.

1.08pm

We arrived at the auction and found that there were approximately 180 horses in the rear pens, as well as cattle and goats. Water was available in the pens however all the water bins had a thick layer of green algae. No food was available. Some horses were kept tied within their pen away from the water source. Several horses were noticeably thin.

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1.16pm

In the rear parking area David Misner's truck and livestock trailer were parked. We were able to identify it by a small sticker on the left side of the trailer "David Misner & Sons Rodeo Company" and a photo that was taken at Joe Rio's auction in El Paso, TX where Misner has been seen delivering loads of horses. We met the CFAC (California Food and Agriculture Code) Veterinarian who we had seen earlier drawing blood from some of the horses. He informed us that he is only there to conduct random drug testing for drugs such as Butenol on the auction horses. He explained that there are serious fines (up to \$1000) for administering drugs before sale at an auction. We asked about Coggins (EIA) tests and he explained that this would require another vet to come in and on a Saturday it would likely take about two days to receive results.

3.30-6.00pm

We observed the auctioneering and noted that the majority of horses sold for less than \$100 were bought by "DM". Prior to this investigation we had been informed that David Misner goes by this acronym at this and other auctions. While sitting in the stands we overheard people beside us commenting that "DM is a slaughter buyer", indicating that locals are aware of kill buyers attending this market. In the last hour most of the general public had left, and the final 20 or so horses entered the ring only momentarily before the auctioneer announced their purchase by DM. The sale ended at 6.15pm. All horses purchased by DM were located in pens 1 – 4 adjacent to the building.



6.44pm

David Misner returned to his truck and moved it around towards the loading area of the auction.

6.55pm

The barn closed up.

7.17pm

Misner pulled up to the front of the auction with a full load of horses, approximately 12-14. We noticed an additional, red truck with a new silver trailer which pulled up behind Misner's and loaded approx. 15 of the horses Misner purchased.



*Misners trailer loaded with horses*



*red truck and trailer*

8.05pm

Both trucks departed together and drove to Misner's lot.

8.14pm

Both trucks arrived at Misner's lot and immediately began unloading. Between the two vehicles there were approximately 30 horses unloaded on this evening.

## **2) Mike's Horse and Tack auction**

### **1. General Information**

**Date:**

8/2/08-8/3/08

**Location:**

Mikes Horse Auction

10410 Old Limonite Way

Mira Loma, San Bernadino County, CA 91752

[www.mikesauction.com](http://www.mikesauction.com)

**Schedule:**

1st and 3rd Saturday of every month; 8-11pm

**Owner/Manager:**

'Mike' and 'Gail'  
951-685-1215

**2. Observations**

**Facilities:**

Access into the auction yard is through a gateway off Old Limonite Way, which can be closed after hours. Once in the yard there is a long parking area to the left of the building, and some at the back of the site. There is one large auction building, with all of the pens at the rear. Horses are kept in groups of 1-4 in the pens, no overcrowded pens were seen. The public is allowed to walk through all the pens.

8/2/08

8.32pm

We arrived at the auction and noted that there were 70-80 horses in the pens. There were no large trucks/trailers but several with mid-size stock trailers in the parking lot.

8.46pm

Walking through the pens revealed that there were a lot of horses in poor condition. Many were very thin, in particular a white Arabian which had a body score index of two. Several horses had very poor hooves, excessively long and badly chipped. One had an eye infection which caused discharge from both eyes. We observed a group of three horses in a pen directly adjacent to the auction building that were all emaciated. One was a pregnant chestnut mare whose body score index was one. She was extremely emaciated and about one third of her body was covered in a skin rash characterized by loss of hair and indications of irritation and scratching.



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8/3/08

11.45am

We returned to the auction and found quite a lot of horses still in the pens. The horses in poor condition that we noted the previous night were among the remaining.

12.06pm

We addressed a staff member about the condition of the chestnut mare. Upon our request, he provided her and the other two in the pen with some hay which they immediately began eating. He told us that these animals had been brought in by animal control. They would stay at the auction for a month in order to gain weight, before they are sold. He said they could not sell them in this condition or “they would get in trouble with people”. Strangely however there is already a sales tag on every single one of them.

12.15pm

We departed the auction and drove to the Misner feedlot.

### **3) Horse Feedlot of David Misner & Sons**

#### **1. General Information:**

**Location:**

1404 Grove Ave, Chino, CA.

**Owner:**

David Misner

#### **2. Observations:**

Sun. 8/3/08

We arrived at Misner’s lot at 9.27am and found both of his trucks and trailers there. On each of these trailers was one horse, for unknown reasons left inside the trailer from the night before.



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10.15am

Both horses were unloaded into the pen area.

The facility is comprised of 5-8 acres of open scrubland divided into large pens. The pens are made from pieces of pipe corral and pipe gates, secured with bailing twine. There is no shelter available on the site. There were approximately 150-200 horses on the premises. Misner's home is located on the Grove Avenue side of the property, next to an old run-down barn. The horses did have access to food and water.



6.15pm

David Misner left the premises with an empty trailer. As suspected, he drove straight to Mike's auction to pick up another load of horses purchased there the night before.

6.45pm

Misner left the auction with a full load of approximately 15-18 horses. We followed the vehicle back to his lot.



7.16pm

We arrived at his facility. Immediately upon arrival Misner switched vehicles and began pursuing us for approximately five minutes, until finally turning around.

8/4/08

10.22am

We arrived at the Misner facility and were able to recognize from a position off the property several horses observed previously at Mike's Livestock Auction. Notably we saw the very thin white Arabian that had raised our concern at the auction.



*(Picture taken at Mike's auction)*



David Misner's truck and trailer were not on the premises. We were informed that he had left early that morning to attend Jones auction in Bakersfield.

There was no more activity for the rest of the day. We departed at 7.30pm and David Misner had still not returned from the auction.

8/5/08

We returned to the feedlot at 8am. David Misner's trailer was backed up empty to the pen area. Again, there were more horses inside the pens than the day before.

We decided to leave this location for a while and continue with our investigation in northern California.

8/12/08

We returned to the feedlot. The white truck and trailer was gone. At 4.37pm, David Misner arrived with another full load of horses.



#### 4) Conclusion

This investigation revealed that David Misner is regularly holding between 150-200 horses at his collecting facility in Chino, CA. Additionally, during the brief time that we were in the area we observed the arrival of about 65 horses. Misner's truck and trailer has been documented at Joe Rio's livestock auction in El Paso, Texas, a site from which horses are transported to the export pens for slaughter in Mexico.



*David Misner in El Paso, TX*

In California the buying and selling or the export of horses for the purpose of slaughter for human consumption is illegal. Animals' Angels believes that this might be the activity taking place at David Misner's collecting facility and will continue to pursue investigation on this claim.

#### **CA PENAL § 598c**

##### **Horse slaughter for human consumption**

(a) Notwithstanding any other provision of law, it is **unlawful for any person to possess, to import into or export from the state, or to sell, buy, give away, hold, or accept any horse with the intent of killing, or having another kill, that horse, if that person knows or should have known that any part of that horse will be used for human consumption.**

(b) For purposes of this section, "horse" means any equine, including any horse, pony, burro, or mule.

(c) **Violation of this section is a felony** punishable by imprisonment in the state prison for 16 months, or two or three years.