

Investigation at the Knoxville Horse Auction in Tennessee

Dates:

4/13/13-4/14/13

Location:

Knoxville Livestock Center
 8706 Mascot Rd., Knoxville, TN 37924
 (865) 933-1691
www.knoxvillelivestock.com

Sale Schedule:

- a) Horses: 2nd and 4th Saturday each month
 Horses start selling at 4:00 p.m.
- b) Livestock: Every Wednesday

Management:

Jason Bailey

Auction Veterinarian:

Dr. Mark Workman
 Athens, TN

General information:

According to their own website, the auction is one of the largest livestock markets in the Southeast. The auction is “family owned and operated” and is held in a modern building that includes a restaurant, an office and auction ring. Adjacent to the building is a large, covered pen area with several loading ramps. Animals’ Angels started to visit the sale for the first time in 2012, after receiving multiple complaints from locals about the poor condition of the horses going through the sale and the treatment of horses by auction employees. In September 2012, Animals’ Angels informed Manager Jason Bailey about our findings and suggested several improvements. Unfortunately, we did not receive any response and therefore a follow up investigation was scheduled.

Observations:

Investigators arrived at the auction at 2:00pm. There were already hundreds of horses inside the pen area and the parking lot was crowded with vehicles from Tennessee and surrounding states.

Tractor/Trailers:

1) **Rotz Livestock, Shippensburg, PA**

DOT: 1680857

Violations:

395.8	Driver's record of duty status (general/form and manner)	2	0	1
395.8(e)	False report of driver's record of duty status	1	1	7
395.8(f)(1)	Driver's record of duty status not current	1	0	5
391.15(a)	Driving a CMV while disqualified	2	2	8
392.2C	Failure to obey traffic control device	1	0	5

The FMCSA website also shows **11 vehicle maintenance violations**. This is quite concerning, especially since on one of his trucks the fuel tank just malfunctioned, causing the trailer to catch on fire and killing all 30 horses inside the trailer. <http://www.uticaod.com/latestnews/x1506808176/30-horses-killed-in-tractor-trailer-fire>



Tipton Farms



Waugh Livestock (red) & Rotz Livestock

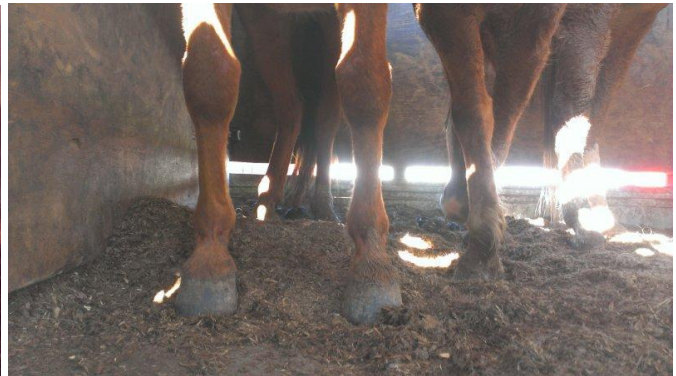
2) Tipton Farms, Limestone, TN
 DOT: 630164

The FMCSA website shows that this carrier is **currently not authorized to operate and also lists 14 vehicle maintenance violations.**

391.45(b)	Expired medical examiner's certificate	1	0	1
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3) Waugh Livestock, Mayslick, KY
 DOT: 2380769

Kill buyer Bruce Rotz brought his silver pick-up truck and stock trailer in addition to his semi. The semis of Rotz & Waugh livestock were backed up to the loading ramps while Tipton Farms was parked in the lot. Investigators noted that there were still 5 horses inside his trailer. One of them was very sweaty and had an extremely swollen right front leg, two other ones had fetlock problems.



Animals' Angels Inc.

PO BOX 1056

Westminster, MD 21158

Phone 443-821-3343 * Fax 443-821-3349

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Next to the pen area, a long line of pick-up trucks with stock trailers was waiting to unload. All horses were unloaded and then moved through a narrow chute with a scale, where they were tagged and blood for Coggins testing was drawn by the auction veterinarian. Several horses did not like to enter the chute and were fighting and kicking against the metal sides. The investigators were informed by the office that the fee for Coggins testing was \$24, which was usually split between buyer and seller of the horse.

Investigators entered the pen area and noticed that the “loose” horses were all put together in large pens. Several pens were crowded and a lot of fighting was observed. Many of the larger pens had access to hay and water, however, the dominant horses were guarding it and keeping the weaker animals away. **Multiple horses in poor condition or with injuries were detected:**

-Emaciated Saddleback mare, Tag#5164, BCS1, lame left front leg

-Emaciated Saddleback mare, swayback, Tag #5211, lame left hind leg



Horse #5211



Horse #5164

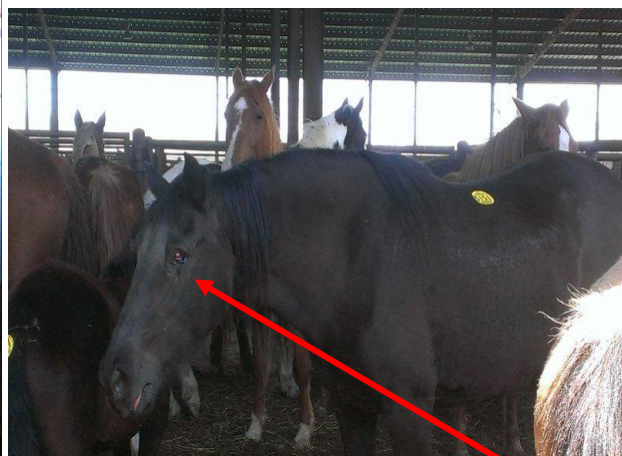
-Emaciated Paint Foal, Tag# 5208, BCS1

Horses in this condition should have **never been accepted for sale** by the auction. However, even more concerning is the fact that these horses were **checked in by the auction veterinarian**.

-Horse Tag#5151 with pushed in eye



Emaciated



Horse with pushed in eye

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- Horse with eye infection
- Weakened horse, continued to lay down in pen
- Horse with clubbed foot & lame
- Mare in heat with bandaged and wrapped front legs, perhaps from soring.
- Horse with back injury & skin problems
- Multiple horses with fresh cuts and smaller injuries
- Multiple horses with overgrown hooves
- Multiple emaciated horses



Back injury



Weakened



Mare with bandaged and wrapped front legs

As usual, the riding horses were sold first. Finally, at 7:25pm, the “loose” horses were sold. All of them were sold by the pound and weight, price per pound and buyer number were displayed on an electric sign inside the auction ring. All the kill buyers were bidding from the front rows. **Bruce Rotz bought by far the most horses**, enough for multiple truck loads. Investigators noted that he was buying several horses that were limping, had swollen knees, sight problems or lumps. He also purchased several studs for \$20 each. The cheapest horse he bought was \$18 and the most expensive one was \$390. The three other large buyers bought approx. 30 horses each.

The severely emaciated horse #5164 was also moved through the sale ring, but no one wanted to buy her. Her weight was only 710lbs. The emaciated foal #5208 sold for \$5 to buyer number 399. The second emaciated saddlebred #5211 was also a no-sale.

After passing through the auction ring, the emaciated horses that did not sell were moved to small pens in the back without food or water. They immediately started to search the pen floor for food.

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The loading ramps were busy and most buyers loaded their horses immediately after the sale and left. Investigators watched as a large stock trailer with TN plates pulled up to the loading ramp at 10:00pm. The driver and his passenger attempted to load 14 horses into the trailer. However, the trailer entrance was too low for the loading ramp and every horse that tried to enter the trailer hit his head at the entrance and panicked. The driver and his helpers became very impatient and forced the horses forward by excessively hitting them over their heads with ropes, paddles and sticks. It was complete mayhem.



Cruel handling

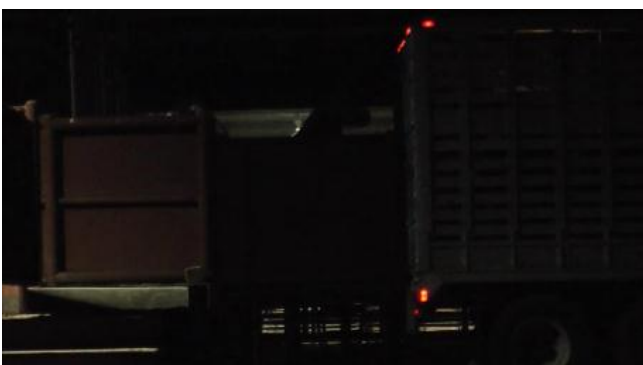


low trailer entrance

Rotz's semi was the first one of the tractor/trailers to leave with a full load. At 10:05pm, Bruce Rotz and his father loaded more horses into their pick up trailer. It appeared that all the studs were in that group of horses, since the fighting & kicking inside the trailer was horrific. They left at 10:20pm. Investigators checked on the emaciated horses again, which still did not have food or water.



At the loading ramps, Waugh Livestock and Tipton Farms had started to load. Tipton Farms left the auction at 11:00pm and investigators decided to follow the truck to determine its destination.



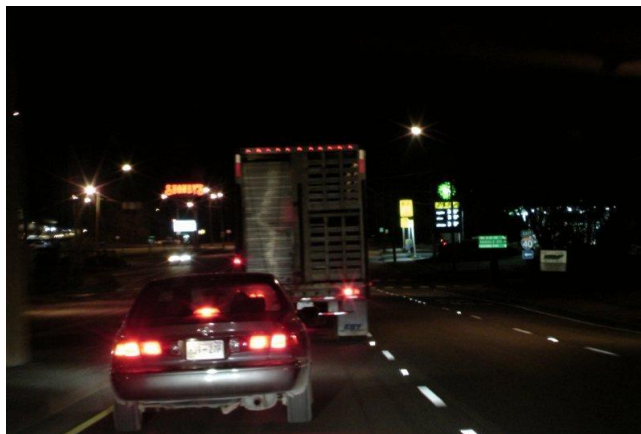
Trucks at loading ramp

The truck headed to I-40 West. At 11:20pm, he pulled into the back of an Exxon truck stop and the passenger left the truck to buy some food. At midnight, the truck left the truck stop. At 1:30pm, the truck arrived at Tipton Farms in Limestone and parked. Since it was too dark to document anything, investigators left to return early the next morning.

Tipton Farms leaving auction



Tipton Farms at truck stop



en route

4/14/13

Investigators returned to the premises at 8:00am. The large farm consists of 1 house, 1 abandoned house, a barn with loading ramp and extensive pastures. Several horses were visible. The truck was still parked along the road.



When investigators approached the truck they noted that there were still horses inside the trailer from the night before. While there is no law against leaving horses on the trailer that long (in the US, horses can legally be confined in the trailer for up to 28 hours without food or water), it shows a complete disregard for the welfare of these animals.

After documenting the situation, the investigators returned to the Knoxville Auction to check on the emaciated horses that were left there the night before.

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They arrived back at the sale barn at 10:00am. The severely emaciated horse #5164 was still in the same pen and still did not have any food or water. The water trough in the pen was completely dry, indicating that no water had been filled in there during the night either.



Tennessee law states:

§ 39-14-202. Cruelty to animals

(a) A person commits an offense who intentionally or knowingly:

(1) Tortures, maims or grossly overworks an animal;

(2) Fails unreasonably to provide necessary food, water, care or shelter for an animal in the person's custody;

Investigators called the Knoxville County Sheriff's Office to report the situation. 10 minutes later, animal control officer Hurst arrived at the sale. After explaining their observations, the officer checked on the animal and then questioned auction workers about the animal. An older worker immediately tried to tell the officer that the horse had been sold the night before and that the new owner was picking it up that morning. He also stated that the horse had been fed and watered. Thanks to their documentation from the night before, the investigators were able to dispute these claims. The worker then proceeded to call the auction manager, informing him that "these animal rights people" were present and that law enforcement had been called.

Auction manager Bailey requested to talk to the animal control officer and immediately started to threaten him over the phone. Investigators overheard Mr Bailey saying that "he knew people within the Sheriff's Department" and that the officer could not take any pictures on the premises. Not impressed, the officer responded that he would carry out his investigation as planned and ended the phone call.

Together with the investigators, he walked the entire premises and documented the condition of the emaciated horse. He also ordered that the horse be given food and water immediately.

Animals' Angels provided all the pictures and additional information from this investigation to the Knoxville Sheriff's Department. On 5/6/13 we were informed by Corporal Byrne that she also shared the information with the Tennessee Department of Agriculture, the State Veterinarian, USDA and the local extension agent.

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Tennessee law requires the involvement of so-called “extension agents” to determine if a case involving livestock should be pursued or not:

§ 39-14-211. Examination of livestock; extension agent veterinarian

*No entry onto the property of another, arrest, interference with usual and customary agricultural or veterinary practices, confiscation, or any other action authorized by this part or any other provision of law shall be taken in response to an allegation that this part has been violated with regard to livestock unless, prior to or at the same time as such action, the livestock in question is examined by the county agricultural extension agent of such county, a graduate of an accredited college of veterinary medicine specializing in livestock practice or a graduate from an accredited college of agriculture with a specialty in livestock. **If the extension agent, veterinary college graduate specializing in livestock practice or livestock specialist does not have probable cause to believe that a violation of this part has occurred with regard to such livestock, no action against the owner of such livestock described in this section shall be taken.** If a person authorized by this section does not make an inspection within twenty-four (24) hours of receipt of a complaint, then a licensed veterinarian may make such inspection*

If the agent believes the owner/person with custody of the horse has “failed unreasonably to provide necessary food, water, care or shelter for an animal”, then the case can go to the district attorney and the court system. Tennessee is the only state in the country to have such a law.

We will continue to monitor the progress and ensure that the Knoxville Auction is held accountable for how it treats the animals in its care.