



USDA-APHIS-Animal Care



ANIMAL WELFARE COMPLAINT		
Complaint No. AC22-0899	Date Entered: July 6, 2022	Processed By: Jeremy Flockhart
Referred To: Tonya Hadjis		Reply Due: August 5, 2022
Facility or Person Complaint Filed Against		
Name: Cocalico Biologicals, Inc.	Customer No.: 360	License No.:
Address: 449 Stevens Road		Email Address:
City: Stevens	State: PA	Phone No.:
Complainant Information		
Name: (b) (6), (b) (7)(C), (b) (7)(D)	Organization: SAEN	
Address:		Email Address:
City:	State:	Phone No.:
How was the Complaint received? Email		
Details of Complaint: See files		
<p>Results: A full routine inspection was conducted on July 27th, 2022 by a USDA inspector.</p> <p>The complainant alleged that one technician at the facility failed to ensure the euthanasia of a rabbit on November 04, 2021. Out of the 200 rabbits euthanized, one rabbit was found alive on November 5th, 2021. The complainant had concerns about the storage of the rabbits after the euthanasia and pain and distress of the rabbit found alive.</p> <p>It was determined through review of records and documents, and conversations with facility representatives that this allegation had taken place. According to facility representatives, the rabbits were not stored in a freezer after the euthanasia procedure. When the rabbit was identified on November 5th, the rabbit was reported as bright, alert, and responsive with a blown marginal ear vein. The rabbit was euthanized on November 5th in accordance with the Program of Veterinary Care. The facility has made provisions to prevent a similar incident from occurring. This was documented as a non-compliant item on the 07/27/2022 inspection report.</p>		
Application Kit Provided: Yes: No:		
Inspector: JESSICA GOWINS		Date: June 26, 2022



USDA-APHIS-Animal Care



Reviewed By: Tonya Hadjis	Date: August 10, 2022
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Animal and Plant
Health Inspection
Service

Animal Care

Fort Collins Office
2150 Centre Avenue
Building B, 3W11
Fort Collins, CO 80526
Phone: 970-494-7478

July 6, 2022

(b) (6), (b) (7)(C), (b) (7)(D)

Dear Complainant,

Thank you for your correspondence dated June 22, 2022. We are reviewing your concerns and assigned tracking number AC22-899. Please allow us enough time (30 to 60 days) to thoroughly look into your concerns. You may submit a request to the Animal and Plant Health Inspection Service (APHIS) Freedom of Information Act (FOIA) office to obtain any publicly available information regarding our review.

FOIA Requests can be submitted three ways:

1. Web Request Form: <https://efoia-pal.usda.gov/App/Home.aspx>
2. Fax: 301-734-5941
3. US Mail:
USDA- APHIS- FOIA
4700 River Road, Unit 50
Riverdale, MD 20737

Should you have any questions regarding the APHIS FOIA process or need assistance using the Web Request Form **please contact the APHIS FOIA office at 301-851-4102.**

Animal Care is a program within the U.S. Department of Agriculture (USDA) that directs activities to ensure compliance with and enforcement of the Animal Welfare Act and the Horse Protection Act. Animal Care establishes standards of humane treatment for regulated animals and monitors and achieves compliance through inspections, enforcement, education, and cooperative efforts under the Acts.

Please be assured that we will look into your concern(s) and take appropriate action(s).

Thank you for your interest into the humane treatment of these animals.

Sincerely,

Elizabeth Goldentyer, D.V.M.
Deputy Administrator
USDA, APHIS, Animal Care

From: (b) (6), (b) (7)(C), (b) (7)(D)
To: [Gibbens, Robert - MRP-APHIS](#); [APHIS-AnimalCare](#)
Subject: [External Email]Prosecute Cocalico Biologicals
Date: Wednesday, June 22, 2022 2:30:25 PM

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov



Dr. Robert Gibbens 6/22/22
Director, Animal Welfare Operations, USDA/APHIS/AC
Via email: robert.m.gibbens@aphis.usda.gov ; animalcare@usda.gov

Dr. Gibbens,

I am writing to you today to file an Official Complaint against Cocalico Biologicals (23-R-0089) for a clear and horrific violation of the Animal Welfare Act.

Cocalico Biologicals correspondence dated 11/10/21 states that: *"The noncompliance involved a failure to ensure death of an animal after euthanasia was performed. The species involved is a rabbit. On 11/04/2021, one of our technicians performed euthanasia on several rabbits. One of the rabbits was found alive on 11/05/2021."* Later in the report it states that *"... our actions led to pain and distress for the rabbit."* The report also mentions that *"The number of rabbits to be euthanized that day was 200."*

Since so many rabbits were to be euthanized that day, I am very concerned that other rabbits may have had similar fates, but died before the euthanasia failure was discovered.

The only assumption that can be made is that after the unsuccessful attempt at euthanasia, the living rabbit was disposed of as though dead. Typically animal carcasses are placed in freezers, or sometimes they are simply thrown out. Either way the failure of these lab technicians to perform euthanasia correctly resulted in significant pain and distress for this rabbit.

This incident could potentially violate multiple sections of the Animal Welfare Act regulations, including but not limited to: *Sec. 2.38 Misc (f)(1) animal handling*, and/or *Sec. 2.33 Attending veterinarian and adequate veterinary care*

Any violation issued relevant to this event should result in a CRITICAL citation against Cocalico Biologicals because this incident had *"a serious or severe adverse effect on the health and well-being of the animal"* because it led to significant suffering for a rabbit. The report admits that the violation *"led to pain and distress for the rabbit."*

However, speaking as someone who has performed euthanasia, I cannot imagine what it would be like to have the responsibility for killing hundreds of animals in a day or two. If a person cares about animals at all, even a single euthanasia is difficult, because the feeling of life flowing out of an animal is extremely disturbing.

Taking the life of even one animal is disturbing, killing hundreds of animals would be beyond belief. The impact on the person given this gruesome task is immeasurable. I cannot imagine spending an entire day involved in nothing but death.

According to the most recent USDA inspection for this facility, the company had approximately 3500 rabbits in their possession. The website states that these rabbits, and other animals, are used for the harvesting of antibodies.

I am hereby filing an Official Complaint against Cocalico Biologicals (23-R-0089) for serious violations of the Animal Welfare Act which killed at least one animal.

I am calling upon your office to open a new enforcement case relevant to these violations. At the conclusion of your

investigation, you must prosecute Cocalico Biologicals (23-R-0089) to the fullest extent of the law, assessing a penalty of \$10,000 per infraction/per animal.

I expect that your office will reply to this correspondence within five business days.

Sincerely,

(b) (6), (b) (7)(C), (b) (7)(D)
(b) (6), (b) (7)(C), (b) (7)(D), SAEN

Attachments: 1 OLAW Report Filed by Cocalico Biologicals

1081-B State Route 28 #280 Milford, OH 45150 513-575-5517 www.SAENonline.org



From: noreply@aphis.usda.gov
To: [APHIS-AnimalCare](#)
Subject: USDA APHIS ANIMAL CARE - Animal Welfare Complaint Submission
Date: Wednesday, June 2, 2021 11:15:29 AM

Details of complaint:

- Name of USDA licensee/registrant:
- USDA license/registration number:
- City/State: Reamstown, PA
- Complaint details: I have not worked at this company. But I have heard horror stories about Cocalico Biologics Inc in Reamstown, PA. These stories are from previous workers who worked there as recently as 2 years ago. Incidents include - Euthanizing rabbits with CO2 without sedating first, euthanizing conscious rabbits by cervical dislocation, rabbits dying from heat stroke due to no AC, and a rabbit being left with an open wound that exposed its bone. I also heard that their current USDA inspector is a friend of the owner. Please, for the sake of these animals, look into this company and send out someone else to inspect them.

Submitted To:

Complaint Contact Information:

Can Contact Complainer: No, I would like to remain anonymous.

Name:

Organization:

Street Address:

Apt/Suite:

City / State / Zip: , ,

Phone Number:

Email:

Submitted on: Jun 2, 2021 5:15:25 PM UTC