



Animals' Angels USA

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Investigation into the export of American horses to Mexico – External Report

Date: 8/31/07-9/8/07

1. Socorro Export Facility, Texas

Location:

10800 Socorro Road
El Paso, TX

Owner/Manager:

The export facility is owned by the **Texas Department of Agriculture**. Manager on site is Mr. Robertson. (915-859-3942)

USDA Veterinarian:

Dr. Grant Wease
Bridge of the Americans
3600 E. Paisano Drive, Room 147A
El Paso, TX 79905
915- 872- 4750

We were informed by the facility manager that Dr. Wease is present every morning to inspect the animals and endorse the health certificates.

Observations:

09/04/07

We arrived at the export facility at 2pm. The facility has a round pen area with several large pens. There are several loading ramps, two in the back and one in the front. A small office building is attached to the pen area. The premises are surrounded by a wire fence. In front of the facility is a large Texas Department of Agriculture sign.



There were approximately 300 horses present. Some of the pens were **very overcrowded**, making it **impossible for the animals to rest**. The horses, unfamiliar with each other and unloaded in these tight pens from different trucks that morning, were very nervous and several were biting and kicking one another. All horses had the green USDA slaughter tag attached.

The majority did not **have any shelter against the sun**. There were a few plastic and concrete water containers, but **not enough for the amount of horses**. The containers were filled with very little, dirty-looking water. There was **no food available** in the pens. Food was only provided in the evenings to the horses that spent the night at the facility.

Possible Violations of the Commercial Transportation of Equines for Slaughter Regulations 9 CFR Sec. 88.4:

(a)

Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must:

(1)

For a period of **not less than 6 consecutive hours immediately prior to the equines being loaded** on the conveyance, provide each equine appropriate food, potable water and the opportunity to rest.

The horses were in very poor condition. The majority were extremely skinny, several were severely limping and we observed several open wounds.



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3.15pm

Two double deck trailers were backed up to the loading ramp. Several workers with whips were running through the pens gathering horses for loading. There was no veterinarian present.

Inscription on both trailers:

CHAVEZ,
Parral, Chihuahua
(152) 3-01-37 3-08-26 3-21-75

Trucking Companies:

Carlos Rosas Holguin
US DOT 0923061
CD Juarez, CI 32670

Driver OOS Violation Summary (within 30 months)			
<u>Violation Number</u>	Description	<u>Number of OOS Violations</u>	Number of Inspections
391.11(B)(4)	Operating com veh w/o corr lenses or hearing aid	1	<u>1</u>
391.11(B)(5)	Not licensed for type vehicle being operated	1	<u>1</u>



Vehicle OOS Violation Summary (within 30 months)			
<u>Violation Number</u>	Description	<u>Number of OOS Violations</u>	Number of Inspections
392.2W	Size and weight	1	<u>1</u>
392.9	Driver load securement	2	<u>2</u>
392.9(A)	Failing to secure load	4	<u>4</u>
392.9(A)(2)	Failing to secure vehicle equipment	1	<u>1</u>
393.100(A)	No or improper load securement	2	<u>2</u>
393.104(B)	Damaged securement system/tiedowns	2	<u>2</u>
393.19	No/defective turn/hazard lamp as required	2	<u>2</u>
393.205(C)	Wheel fasteners loose and/or missing	1	<u>1</u>
393.207(A)	Axle positioning parts defective/missing	3	<u>3</u>
393.209(D)	Steering system components worn/welded/missing	1	<u>1</u>
393.45(B)(2)	BRAKE HOSE/TUBING CHAFFING AND/OR KINKING	1	<u>1</u>
393.48(A)	Inoperative/defective brakes	1	<u>1</u>
393.67	Fuel tank requirement violations	2	<u>2</u>
393.75(A)	Flat tire or fabric exposed	6	<u>5</u>
393.75(A)(2)	Tire-tread and/or sidewall separation	1	<u>1</u>
396.3A1B	Brakes (general)	1	<u>1</u>
396.3A1BA	Brake-out of adjustment	8	<u>8</u>
396.7	Unsafe operations forbidden	1	<u>1</u>



Manuel Humberto Dominguez “**Trans Dominguez**”
 US DOT 1449890
 CD Juarez, CI 33690

Driver OOS Violation Summary (within 30 months)			
<u>Violation Number</u>	Description	<u>Number of OOS Violations</u>	Number of Inspections
391.11(B)(5)	Not licensed for type vehicle being operated	1	<u>1</u>

Vehicle OOS Violation Summary (within 30 months)			
<u>Violation Number</u>	Description	<u>Number of OOS Violations</u>	Number of Inspections
392.9	Driver load securement	1	<u>1</u>
393.207(C)	Leaf spring assembly defective/missing	1	<u>1</u>
393.45	Brake tubing and hose adequacy	1	<u>1</u>
393.45(B)(2)	BRAKE HOSE/TUBING CHAFFING AND/OR KINKING	2	<u>2</u>

The handling was very rough. The workers used their whips excessively and on the horses' faces. Several horses slipped and fell on the steep loading ramp.



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Double deck trailer backed up to pens



Horse struggling on loading ramp

After the loading was finished, both trucks parked in front of the office. Fifteen minutes later the drivers returned and the trucks left the premises and started heading to the Mexican border. (5.23pm)



09/05/07

We arrived at the facility at 1.15pm. The pens were less crowded than the day before. Again, several double deck trailers were backed up to the pens.

Trucking companies:

- Trans Dominguez (see above)

- Salvador Lara Lujan
US DOT 776856
CD Juarez, CI 32690

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Vehicle OOS Violation Summary (within 30 months)			
<u>Violation Number</u>	Description	<u>Number of OOS Violations</u>	Number of Inspections
393.11	No/defective lighting devices/ref/projected	1	<u>1</u>
393.25(F)	Stop lamp violations	2	<u>2</u>
393.43(A)	No/improper tractor protection valve	1	<u>1</u>
393.45	Brake tubing and hose adequacy	1	<u>1</u>
393.75(A)(3)	Tire-flat and/or audible air leak	1	<u>1</u>
393.9(A)	INOPERABLE REQUIRED LAMP	5	<u>5</u>
396.3(A)(1)	Inspection/repair and maint parts & accssries	2	<u>2</u>
396.3A1BA	Brake-out of adjustment	5	<u>3</u>

There were approximately 200 horses in the pens. **They were in very poor condition - several were down and unable to rise. We observed the other horses trampling them. One horse appeared to be dead.**
Again, there was no food available for the animals prior to loading. No veterinarian could be found.

Sec. 88.4 Requirements for transport.

- (a) Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must:
- (3) Complete and sign an owner-shipper certificate for each equine being transported. The owner-shipper certificate for each equine must accompany the equine throughout transit to the slaughtering facility and must include the following information, which must be typed or legibly completed in ink:
- (vii) A statement of fitness to travel **at the time of loading,** which will indicate that the equine is able to bear weight on all four limbs, able to walk unassisted, not blind in both eyes, older than 6 months of age, and not likely to give birth during the trip.



The workers appeared to be very angry at our presence at the facility. While leaving, the manager pulled up behind us and appeared to be writing our license plate number down.

06/09/07

We returned to the export pens in the afternoon. There were only approximately 100 horses in the pen area. Again, **no food was available** to the animals. We began filming the conditions, but were immediately approached by the manager. After introducing ourselves, we received the following information:

- The export of horses to Mexico via this facility has increased drastically during the last weeks.
- There is a USDA veterinarian present every morning. He inspects the animals and endorses the paperwork. His name is Dr. Wease.
- He is the manager of the facility and employed by the Texas Department of Agriculture. John Garza (USDA Austin, TX) is in charge of the export of horses to Mexico and is head of all the export facilities. He recommended that we call him for further information. (512-463-6098)
- They request that all horses arrive on single deck trailers.

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We expressed our concerns about the rough handling of the horses and the constant hitting on the loading ramp. He replied:

- Well, those are not our employees. Those are workers hired by Chavez. We aren't responsible for that. The minute the horses are on the loading ramp, it's Chavez' responsibility.

We questioned that as the poor handling was occurring on Texas Department of Agriculture premises they should have an influence on the way animals are handled. He replied:

- No, we don't.

We then asked him for his opinion regarding the very poor condition of the animals / horses being trampled by others /horses appearing dead:

- We have not had a dead horse in weeks. **These horses are just soaking up the sun, they're fine.** Every time we have a downed horse, we call the veterinarian and he euthanizes it. If a horse is determined unfit for transport, we send it back to its owner and let him deal with it.

We told him about our observation that horses are indeed arriving in single deck trailers, but leaving the facility in Chavez double-deck trailers.

- He claimed that every double deck trailer is equipped with floating decks and that they are loading the horses on one deck only.

We expressed our concerns that the horses are not provided with any food and sufficient water. We also stated that as the pens were overcrowded the horses are not provided with an opportunity to rest without being trampled – things that are required by US law. He replied:

- **They don't need that. They arrive here in the morning and they leave the same day, therefore there is no need to feed them.**

He then left and returned to the pen area.

09/07/07

We arrived at the facility at 9am. The pens were already crowded with horses. A black truck with a single deck trailer had just arrived and backed up to the loading dock.

Company name: BELTEX

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Texcold Corp. (BELTEX)
Fort Worth, TX
DOT 578259

Driver OOS Violation Summary (within 30 months)			Download Data
Violation Number	Description	Number of OOS Violations	Number of Inspections
395.3(B)	60/70 hour rule violation (Property)	1	<u>1</u>
395.8(K)(2)	Driver failing to retain previous 7 days logs	1	<u>1</u>

Vehicle OOS Violation Summary (within 30 months)			
Violation Number	Description	Number of OOS Violations	Number of Inspections
393.43(A)	No/improper tractor protection valve	1	<u>1</u>
393.46(B)	BRAKE CONNECTIONS WITH LEAKS/CONSTRICTIONS	1	<u>1</u>

The horses were unloaded at 9.45am. Another Beltex truck with horses pulled into the parking lot and started unloading at 10.30am. After 12.15 pm , there was no more activity. **We continued observing the pen area, but never saw anyone inspect the horses.** The horses were again in very poor condition. And again, no food was available.



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During the afternoon, the same trucks we observed the days before arrived, loaded the horses and crossed the border. At 5.15pm a truck from Salvador Lujan with an open roof trailer arrived.

He backed up to the ramp and loaded. **No dividers were placed in between at least 35 horses.**

When he left the parking lot, we saw the horses struggling to keep their balance. In addition, the horses had **no protection against the sun during the entire journey.**



Sec. 88.3 Standards for conveyances.

(a) The animal cargo space of conveyances used for the commercial transportation of equines to slaughtering facilities 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**



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2. Southwest Livestock Auction, Los Lunas, New Mexico

Location:

24 Dahlies Road
Los Lunas, New Mexico 87031

Owner/Manager:

Dennis Chavez
505-865-4600
505-866-0149 fax

Mr. Chavez runs an auction at this location and a large feedlot for slaughter horses. He has his own trucks to transport them to the Mexican border.

Sale Schedule:

Every Saturday dairy cows, feeder cattle and horses 12:00 noon
Special horse sales several times a month.

Description of Facility:

The facility is the largest in the Southwest. It is located on Highway 6, approximately 5 miles west of Los Lunas, New Mexico. The wooden auction house has offices, a restaurant, and a horse trailer washing station. It is surrounded by a large pen area and desert. A dirt road leads to the premises. Along the dirt road are several other horse traders.

2. Observations:

09/01/07

We arrived at the auction at 10am. A few cars were parked in front of the auction. On the property were three double deck livestock trucks and several other trailers. A blue rig, turquoise rig and grey rig, as well as all the trailers, appeared to belong to Dennis Chavez.

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Inscription on the trucks:

D.C.
Southwest Livestock Auction
Los Lunas, NM
DOT 469751



Southwest Livestock Auction



Sign on trailer

There were approximately 500 horses and several hundred cows and feeder cattle in the pens. All pens appeared to have water and hay, but there was no shelter to protect the animals from the desert sun. Among the horses were donkeys and mules. Many of the horses were emaciated, to the point that every bone was clearly visible. Several had open wounds and were limping. None of the horses were haltered. All appeared to be “slaughter” horses.



At the office we were informed that horses were not being sold that day; only cows and feeder cattle. However, later that day (5.20pm) we observed the horses being brought into the auction ring and separated into different pens afterwards. This led us to believe that the horses were indeed being sold, but only to the kill buyers, not the general public.

The handling in the outside pens was very rough. The employees continually hit the animals with their whips, even when it was unnecessary to do so, and the horses ran in panic through the long alleys.

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At 6.45pm all horses were sold.



There were very few attendees over the course of the day. We believe all of the animals we bought by only a few individuals.

As we walked back to the car, we saw a small, dismembered horse leg. Given the small size of it, we believe it must have come from a young foal.



At 7.15pm the turquoise D.C. truck drove under its sheltered (!) parking space. The horses, who had been running frantically back and forth in the pens, seemed to calm down. Several cars left the premises and soon there was little to no activity on the premises.

09/02/07

We returned to the facility at 9am. During the next hours we observed no activity and decided to proceed to the border to wait for trucks to arrive.

3. Santa Teresa Export Facility, New Mexico

Location:

The livestock export facility and the USDA office are located approximately one mile east of the official Santa Teresa/San Jeronimo border crossing..

Owner/Manager:

The pens on both sides of the border are privately owned by the Union Ganadera de Chihuahua Inc. (Chihuahua Cattlemen's Association)



USDA Veterinarian:

Dr. Walter Howe
715-872-4754

Observations:

09/04/07

We arrived at the facility at 9am. The entrance gate of the fenced premises was open. There were no signs restricting entrance or filming. An empty livestock truck (24 Trading Co. DOT 1595339) was parked in the parking lot.

Close to the parking lot is a large pen area, holding horses awaiting export. The animals are unloaded by US trucks into these pens, and then walked across the border to the pens on the Mexican side. There they are loaded onto Mexican trucks and transported to slaughter plants in Mexico. Beside the pen area are several buildings where the USDA office and the Chihuahua Cattlemen's association are located.

Inside one of the front pens were approximately 45 horses. All had the green USDA slaughter tag attached to their hips.

The horses were in alarmingly poor condition:

- Many were severely emaciated.
- Two were liming badly and stumbling when forced to run.
- One had a very large, open wound on her forelimb that was bleeding profusely. It appeared that a large section of skin had been torn away.
- One horse's ear appeared to have been burned off. All that remained of it was a charred stump.
- One horse had an enormous strangles cyst that had illogically been cut away leaving a large flap of skin hanging from the emaciated horse's throat. A large, open and bleeding wound was left untreated.



Very skinny horse with burned off ear



Emaciated horse with large strangles infection



There is no food or shelter against the sun available for these animals.

Possible Violations of the Commercial Transportation of Equines for Slaughter Regulations 9 CFR Sec. 88.4:

(a)

Prior to the commercial transportation of equines to a slaughtering facility, the owner/shipper must:

(1)

For a period of **not less than 6 consecutive hours immediately prior to the equines being loaded** on the conveyance, provide each equine appropriate food, potable water and the opportunity to rest.



All horses were branded with “M”. This brand links the animals to Monzerat Munoz, a kill buyer who owns a feedlot in Texas.

While there, we met with Erma Pararez, the manager of pens. **We received the following information from her:**

- The pens are owned by the United States federal government and because of the terrorist threat, we were not allowed to film there. Thus, we would have to delete our footage.
- The USDA office is located on the Mexican side of the border and for security reasons women and children are not allowed to cross the border. We therefore cannot talk to the USDA veterinarian.
- She bears no responsibility for the horses other than care for them while they are in these pens.
- The majority of horses no longer cross at this border crossing. Since approximately four weeks they have been crossing at El Paso, Texas.
- This is the first load of horses she has seen in three weeks.

She then walked back into the office building and we returned to our car. We called the USDA veterinarian, Dr. Howe, on his cell phone and arranged a meeting. While he was located on the Mexico side he said he would come over and conduct the inspection of the horses and meet with us at the same time. We arranged a time to return.

Upon return to the facility we saw two men with yellow USDA vests in the pen with the horses getting them all to stand and, with the use of a whip, making them run from one side of the pen to the other side five times. We had some concerns with this method of inspection as many of the horses were liming and had great difficulty running. Many faltered and one fell but was able to rise again. The emaciated horse with strangles had difficulty keeping up with the others and to us it was clear that this forced run was challenging for many of the horses.

After running the horses, one of the men introduced himself as the USDA port of entry veterinarian Dr. Howe. **We received the following information from him:**

- **Ownership of the export pen is not in fact held by the United States’ federal government, but the Chihuahua Cattlemen’s association, who also owns the pen on the other side of the border.**
- Four weeks ago, this was a very busy export facility, but now all major horse traders transport their slaughter horses via Socorro, TX. Part of the reason for this is that Santa Teresa charges \$18.00 per head while Socorro charges only \$3.00 per head.
- The Texas Department of Agriculture owns the Socorro export pens.



- Horses are received here during the morning. He then inspects them and checks the paperwork. In the afternoon, they are walked to the other side and picked up by
- Mexican double deck trucks. They (the US side) do not accept horses arriving on double deck trailers. They have to be on one level, which is what the law demands.
- For inspection purposes, he makes the horses run back and fourth in the pen. They need to be able to put weight on all four limbs. In addition, they have to be older than 6 month of age, not blind in both eyes and not likely to give birth during the trip. Anything else does not matter. He does not care if they are emaciated, limping or injured, as long as they do not show one of the 5 reasons for rejection listed in the Commercial Transportation of Equines to Slaughter regulations.
- The horses that are here were brought in that morning by Monzerat Munos, a horse trader from the suburbs of El Paso, TX. He usually buys from Joe Rios and ships approximately 50 horses a week. He owns a feedlot, where the horses stay for a short time to be fattened.
- He has very rarely in his 20 years of experience rejected a horse for transport. When asked the procedure for rejected horses he stated:

“I do not provide euthanasia. I am not doing anything. The horse just remains in the pens of the Chihuahua Cattlemen’s association. They deal with it.”

- Being asked how they would deal with the situation, he explained:

“Either the horse gets better, or it dies in the pen. They would have to call a private practitioner to euthanize it (I guess...), but I’ve never seen that. Usually the horse is left to die. I don’t think that’s inhumane. It’s like humans in a coma, they don’t feel anything, they’re too much out there already. No, they don’t suffer.”

- Being asked if he reports violations of the Commercial Transportation of Equines to Slaughter Regulations, he answered:

“No, I don’t enforce the regulations. I don’t push for that. And the stockyards don’t either. These guys are in high demand. There are just too many horses out there”

- Being asked if he thinks these limping, emaciated horses are fit for transport and being informed that we are concerned that several are too weak to make it through the trip, he answered:

“Oh no, they’re all fine. I’ve seen worse. They’ll be walking across the border shortly”



He then returned to his office. Extremely disturbed, we returned to our car and left the premises.

Conclusion /Suggestions:

This investigation reveals the urgent need to pass the American Horse Slaughter Prevention Act.

During the first week of September, **1,030** horses were exported from Texas and New Mexico to Mexico for slaughter. Since January 2007 a total of **27,237** (9/13/07) American horses have been sent to slaughter from the United States to Mexico.

It has become obvious to us after monitoring horse auction facilities throughout the country and after monitoring commercial haulers move slaughterbound horses from points of origin to slaughterhouse holding facilities that many of the horses are in deplorable condition. These horses did not decline "overnight" while being hauled to the slaughter plants. These horses were already in deplorable condition at the point of origin and in many cases **should never have been loaded in the first place.**

Furthermore, at the export facilities, conditions remain appalling for all American horses lost to this industry.

Animals' Angels concerns in detail:

a) Santa Teresa Export Facility

- The Commercial Transportation of Equines for slaughter regulations are ignored. The horses have no food prior to transport. The USDA veterinarian himself stated that he is not enforcing the regulations and that violations occur without consequences.

- Horses unfit for transport are left to die in the export pens. This procedure is cruel and unacceptable.

b) Socorro Export Facility

- The Commercial Transportation of Equines for slaughter regulations are ignored. The horses have no food, insufficient potable water and no rest prior to transport. Horses are transported on unacceptable conveyances.

- During the course of the four day of the investigation, we never saw the veterinarian inspecting the horses although we were present much of the day. The international health certificate necessary to export horses to Mexico requires that the horses be examined and found clinically healthy **at the time of exportation.** In addition, 9 CFR 88.4 requires a statement of fitness to travel **at the time of loading.**

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c) Public Safety

- The Safestat records of several of the observed transport companies show severe violations. Some drivers were not even licensed to operate a truck. This is a hazard to US roadways and borders.