

**Animals' Angels USA**  
**PO BOX 1056**  
Westminster, MD 21158  
Phone 410-848-3153 \* Fax 410-848-0213  
[www.animals-angels.com](http://www.animals-angels.com)



## Animals' Angels Investigation at the Eagle Pass Export Pen External report

### **1. General Information**

**Date:**

6/4/08-6/6/08

**Location:**

205 Industrial Blvd  
Eagle Pass, TX 78852  
Phone: (830) 773-2359  
Fax: (830) 757-3845

**Owner/Manager:**

The Facility is operated by the Texas Department of Agriculture. It is the second largest export pen in Texas. Over 6000 horses were exported for slaughter in Mexico through this facility in 2007. In the first four months of 2008, already 2100 horses were shipped across the border. Pen operator is Ricardo Perez.

**Border Veterinarian:**

USDA:

Dr. Robert Krieg  
PO BOX 295  
Eagle Pass, TX 78852  
830-773-1933

MEXICO:

M.V.Z.Ubaldo Grajeda Pena  
Delegacion Sanidad International  
Piedras Negras, Coahuila  
91-878-2-0733

**Facility:**



© Copyright Animals' Angels USA

## 2. Observations

6/4/08

We drove by the export pens at 7.30pm. All gates were locked. There was a white TDA truck parked inside the lot. There was no activity.

6/5/08

8:18am: Workers were waiting outside the pens for the gate to be opened. Gates opened at 8:30am.

12:45pm:

A blue truck with an empty horse trailer crossed the border coming from Mexico and dropped the trailer off at the export pen. DOT 1485129



There was no more activity all day. The gates closed at 4:30pm.

6/6/08

The gates opened again at 8:30am. Horses awaiting transport to Mexico are in the holding pens. Two large round bales are located just outside the pens. However, we could not confirm that the horses had access to food or water.





A red truck with the same DOT number than the truck we observed yesterday ( DOT 1485129) arrived at the pens.

**Trucking Company:**  
 JUAN JAIME DE LUNA RODRIGUEZ  
 2227 ACAPULCO DRIVE  
 EAGLE PASS, TX 78852  
 (830) 968-3739 / (830) 773-5520

A search of the companies SAFERSTAT records revealed the following:

Driver OOS Violation Summary (within 30 months)			
<u>Violation Number</u>	Description	<u>Number of OOS Violations</u>	Number of Inspections
391.11(B)(2)	Non-english speaking driver	2	<u>2</u>
391.11(B)(5)	Not licensed for type vehicle being operated	2	<u>2</u>
392.9(A)(2)	Failing to secure vehicle equipment	1	<u>1</u>
395.3(A)(2)	14 hour rule violation (Property)	2	<u>2</u>
395.8(A)	No drivers record of duty status	1	<u>1</u>
395.8(K)(2)	Driver failing to retain previous 7 days logs	1	<u>1</u>

Primary Federal Regulation	Violation Description	Violation Type
382.115(A)	FAILING TO IMPLEMENT AN ALCOHOL AND/OR DRUG TESTING PROGRAM	A
395.8(A)	FAILING TO REQUIRE DRIVER TO MAKE A RECORD OF DUTY STATUS	C
396.3(B)	Failing to keep minimum records of inspection and maintenance	C
396.11(A)	Failing to require driver to prepare vehicle inspection report	C

Vehicle OOS Violation Summary (within 30 months)			
<u>Violation Number</u>	Description	<u>Number of OOS Violations</u>	Number of Inspections
385.325(C)	Operating interstate on/after OOS order date	1	<u>1</u>
392.9(A)(2)	Failing to secure vehicle equipment	4	<u>4</u>
392.9A(A)	OPERATING BEYOND SCOPE OF OPERATING AUTHORITY	1	<u>1</u>
392.9AA1	OPERATING W/OUT REQUIRED OPERATING AUTHORITY;INACTIVE SAFETY SUSPENSION 01/04/20	1	<u>1</u>
392.9AA2	OPERATING BEYOND SCOPE OF OPERATING AUTHORITY	1	<u>1</u>
393.19	No/defective turn/hazard lamp as required	5	<u>5</u>
393.201(A)	FRAME CRACKED / LOOSE / SAGGING / BROKEN	1	<u>1</u>
393.205(A)	Wheel/rim cracked or broken	3	<u>3</u>
393.205(C)	Wheel fasteners loose and/or missing	1	<u>1</u>
393.207(A)	Axle positioning parts defective/missing	6	<u>6</u>
393.207(C)	Leaf spring assembly defective/missing	1	<u>1</u>
393.207(E)	Torsion bar cracked and/or broken	2	<u>2</u>
393.207(F)	Air suspension pressure loss	2	<u>2</u>
393.209(D)	Steering system components worn/welded/missing	2	<u>2</u>
393.25(F)	Stop lamp violations	1	<u>1</u>
393.45	Brake tubing and hose adequacy	3	<u>3</u>
393.47	INADEQUATE BRAKE LINING FOR SAFE STOPPING	2	<u>1</u>
393.47(A)	INADEQUATE BRAKES FOR SAFE STOPPING	1	<u>1</u>
393.47(D)	INSUFFICIENT BRAKE LININGS	1	<u>1</u>
393.47(E)	CLAMP/ROTO TYPE BRAKE(S) OUT-OF-ADJUSTMENT	4	<u>4</u>
393.48(A)	Inoperative/defective brakes	6	<u>6</u>
393.67	Fuel tank requirement violations	1	<u>1</u>
393.75(A)	Flat tire or fabric exposed	3	<u>3</u>

1:21pm:

The horses were densely loaded onto two large livestock trailer. The trailers had not enough head room for the horses and they were hitting their heads on the metal pipes constantly. No dividers were placed in between approximately 30 horses per trailer. In one trailer most of the horses were fully exposed to the elements and the burning sun, only the front part of the trailer was covered with a tarp.



### Possible violations of 9 CFR, Part 88:

#### 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

#### Sec. 88.4. Requirements for transport

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

4) Load the equines on the conveyance so that:

i) Each equine has enough floor space to ensure that no equine is crowded in a way likely to cause injury or discomfort;

3:15pm:

Two trucks (blue truck from the day before that brought trailer over from Mexico and a red truck, both with DOT 1485129) crossed the border into Mexico with horses crammed into two livestock trailers. There was no sign of an inspection at the US side of the border crossing, but it appeared there was an inspection that occurred at the TDA facility prior to departure of the trucks.



### **Conclusion:**

The investigation revealed that at this facility (just like at the other export facility operated by the Texas Department of Agriculture in El Paso):

- Unacceptable trailers are being used to transport the animals
- Way too many horses are loaded onto one trailer
- Trucking companies with a long list of critical violations are chosen to transport the animals across the border, which puts public safety at risk.