

Again?! New Complaints Filed Against Three Angels Farms: Chameleon Carrier

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Houston, TX - **Four new** complaints were filed against Three Angels Farm of Lebanon, TN (Dorian Ayache) with the USDA office of the Inspector General (USDA OIG), totally 5 in less than two months. Three Angels Farms is best known for two high profile accidents on I-40 that occurred in January and June while hauling horses to slaughter.

The latest rounds of offences are associated with documents revealing violations of the USDA 28 hour rule. According to the complaints, horses were trailered for up to 44 ½ hours, exceeding by 15 ½ hours the legal limits. Fines, up to \$ 5,000 per horse according to USDA regulations, could total almost \$200,000 per incident.



Obvious violations

Records revealed clear violations. Log books of the Ayache operation for March and April were obtained from the Federal Motor Carrier Safety Administration (FMCSA) via a Freedom of Information Act request. Once the records were reviewed, a formal complaint was filed with the USDA OIG, including specific details which provided the basis for the 4 additional complaints.



Truck #88 Hauling Horses to Slaughter

Log entries for Three Angels Farms showed that on 4 separate dates horses were loaded on trailers for over 28 hours.

- **03/26/2012 - 35 ½ hours**
- **03/28/2012 - 44 ½ hours**
- **04/11/2012 - 31 ½ hours**
- **04/13/2012 - 29 ½ hours**

Many horse owners question the 28 hour law, saying 28 hours is excessive while citing laws in countries where maximum limits are less than half what is allowed in the U.S. In addition, the already liberal legal maximum appears to have never been enforced. Many are exasperated by claims of shorter, more humane transport as reason to bring slaughter back to the U.S. since there is no record of the USDA ever enforcing the 28 hour rule.

“There’s no question transport conditions are bad,” said John Holland with Equine Welfare Alliance (EWA). “They were horrendous when horse slaughter was operating in the U.S. and just like now, the 28 hour rule was violated all the time with absolutely zero enforcement.”

According to EWA, Veterinarians for Equine Welfare (VEW) and many other organizations, the issue is best addressed by banning horse slaughter and related transport all together, not by bringing it back.

Chameleon Carrier

In other documents, Department of Transportation Investigator James Reid described being directed to ‘divert from his destination’ and go to Ayache’s Three Angels Farms after Ayache’s wreck on January 12. Reid quickly finds that Ayache was operating as a “reincarnate (chameleon) carrier” under his brother’s name. Investigator Reid asked Ayache why he had two DOT numbers, who stated that he had a bad record with his old DOT number and just stopped using it, starting another business under his brother’s name.

However, Investigator Reid noted that Ayache’s earlier carrier company had been ordered to cease all operations after failing a safety audit in Sept 2011 and his “unwillingness to submit a corrective action plan.”

Severe Defects and Malfunctions

During another inspection visit on Feb 3rd, Investigator Reid found “numerous out of service violations” on Ayache’s tractors and trailers.

Defects and malfunctions were severe: “These violations placed Three Angels Farm’s trucks and trailers out of service for a 100% out of service rate.”

Ayache’s second wreck in 5 months, on June 12 resulted from the trailer breaking in half as it traveled west on I-40 outside of Nashville, less than 30 miles from Three Angels Farms. In both this and the January wreck several horses died.



Six days later on June 18, Tennessee Department of Public Service stopped 4 Three Angels Farms semis and quickly put 3 of the 4 tractors out of service for defective brakes, tire tread separation, cab body improperly secured to frame and several other violations. Two of the four trailers were similarly put out of service.

Yet on June 23rd one of the trailers was seen and trailed for 3 hours as it traveled west on I-40. Loaded with horses and traveling away from the Ayache operation in Lebanon, the trailer had been removed from service less than a week before for a cracked frame, loose, sagging, broken, inadequate floor condition, inadequate brakes, tire tread and other violations.



Three Angels Farms transporting horses to slaughter

Independent of having the out of service trailer on the road, on June 29th, 2012 the U.S. Department of Transportation ordered Three Angels Farms to immediately cease all transportation operations.

<http://www.kaufmanzoning.net/usdepartmentoftransportationordersthreeangelsfarmsshutdown062912.htm>

Due to the completed Feb 23, 2012 compliance review, Three Angels Farms was fined a civil penalty of **\$2,000**. The summary of violations found were Three Angels Farms using a driver before the motor carrier as received a negative pre-employment controlled substance test, and failure to require driver to prepare vehicle inspection report.

http://www.kaufmanzoning.net/NOC%202012_Redacted.pdf

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The 4 new complaints filed regarding Ayache's violations to the 28 hour laws, strongly indicate the extremes to which Three Angels Farms is willing to put horses in his care. Up to almost 45 hours on a trailer with severe defects and malfunctions, add the issue of inhumane transport to the already well-founded concerns over threats to the public's safety posed by Ayache. The formal complaints filed with the USDA also raise questions as to why the 28 hour laws appear to have never been prosecuted when a simple examination of one company's documents covering a limited time period revealed substantial violations.

Link to full length report : www.kaufmanzoning.net/threeangelsfarmfullreportcomplaintsfiled0712.pdf

Link to report with Investigator Reid's comments: <http://www.kaufmanzoning.net/2.23.12%20CR.pdf>

9CFR 88, Commercial Transportation of Equines to Slaughter Act: <http://law.justia.com/cfr/title09/9-1.0.1.3.29.html> and **USC 80502, the 28hr law of 1877:** <http://www.nationalaglawcenter.org/assets/crs/RS21978>