



United States Department of Agriculture

Marketing and Regulatory Programs

Animal and Plant Health Inspection Service

Animal Care

2150 Centre Ave, Building B, 3W11 Fort Collins, CO 80526

(970) 494-7478 Fax: 472-9558

TO: Robert Sawmiller
16761 County Rd. 25A
Wapakoneta OH 45895
USDA License #31-C-0221

FROM: Mike Watson
Acting Administrator
Animal and Plant Health Inspection Service
U.S. Department of Agriculture

DATE: February 19, 2021

SUBJECT: Notice of Confiscation of Animals

PLEASE TAKE NOTICE that the following animals owned by Robert Sawmiller, which are currently maintained by you at [redacted] are hereby confiscated by the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, pursuant to section 16 of the Animal Welfare Act (7 U.S.C. 2146) and Title 9, Code of Federal Regulations, section 2.129 (9 C.F.R. 2.129), for the failure to provide the adequate and necessary care to the animals.

- Animals: 1 female brown bear reportedly 4-6 years old
1 male brown bear reportedly 8 years old
1 female brown bear reportedly 6 years old
1 female black bear reportedly 15 years old
1 male black bear, age unknown
2 juvenile brown bears reportedly 2 years old
1 male cougar, reportedly 6 years old



Mike Watson
Acting Administrator
Animal and Plant Health Inspection Service
U.S. Department of Agriculture

Received by: Robert Sawmiller Date 19 Feb. 2021

Title: Licensee

The Licensee Refused to sign this notice.
A copy of the notice was personally delivered by D. Miller on 2/19/21
At approx 10:30 AM. This was witnessed by Dr. Kurt Hamant.



Animal and Plant Health Inspection Service
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Federal Relay Service (Voice/TTY/ASCII/Spanish)
1-800-877-8339



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TO: Robert Sawmiller
16761 County Rd. 25A
Wapakoneta OH 45895
USDA License #31-C-0221

FROM: Dana M. Miller, DVM
Supervisory Veterinary Medical Officer
USDA, APHIS Animal Care

DATE: February 18, 2021

SUBJECT: **Notice of Intent to Confiscate Animals**

PLEASE TAKE NOTICE that the following animals owned by Robert Sawmiller, which are currently maintained by you at [REDACTED] have been found to be suffering as the result of your failure to comply with the provisions of the regulations and standards promulgated under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.)(AWA or Act), including specifically sections:

- 2.40(b)(2) Attending veterinarian and adequate veterinary care (dealers and exhibitors)
- 3.127(b) Facilities, outdoor. Shelter from inclement weather
- 3.129(a) Feeding
- 3.130 Watering

Animals: 1 female brown bear reportedly 4-6 years old
1 male brown bear reportedly 8 years old
1 female brown bear reportedly 6 years old
1 female black bear reportedly 15 years old
1 male black bear, age unknown
2 juvenile brown bears reportedly 2 years old
1 male cougar, reportedly 6 years old

On January 29, 2021 and February 1, 2021 you were provided with two Notices of Intent to Confiscate bears you own or are in your possession, custody, and control, as a result of the bears suffering identified during inspections on January 28, 2021 and January 31, 2021 because of your failure to comply with the AWA and its regulations. During a follow-up inspection on February 17, 2021, APHIS determined that the bears are still suffering, which indicates that the temporary measures you previously implemented are insufficient to maintain your animals in a state which prevents suffering.

THEREFORE, the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), requires that the condition of these animals be corrected immediately and that adequate care be given to alleviate the animals' suffering as directed in the attached inspection report dated February 17, 2021. The corrections implemented must be appropriate for local climatic conditions and able to be sustained. Temporary improvement measures are insufficient.

In the event that you refuse, fail, or are otherwise unable to comply with this request by 03:00 PM local time, Thursday February 18, 2021, APHIS will confiscate the identified animals, pursuant to Section 16 of the Act (7 U.S.C. § 2146) and Title 9, Code of Federal Regulations, Section 2.129 (9 C.F.R. § 2.129).



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Further, you are instructed not to euthanize or remove the identified animals from the facility located at [REDACTED]. If you need to move any of the said animals for the purposes of obtaining veterinary care, you must request approval to do so in writing from the USDA, APHIS, Animal Care, Assistant Director of Animal Welfare Operations, Dr. Aaron Rhyner.

For further information, please contact Dr. Aaron Rhyner at 970-494-7484.

[REDACTED]
Dana M. Miller, DVM
Supervisory Veterinary Medical Officer
USDA, APHIS, Animal Care

Received by: Robert Sawmiller Title: Licensee Date: 2/18/21

The licensee refused to sign this notice.
A copy was personally delivered and
the content was reviewed with him
on 2/18/21 at approx 10:40 AM.
Witnessed by Dr. Kurt Hammel [REDACTED]



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(970) 494-7478 Fax: 472-9558

TO: Robert Sawmiller 16761 County Rd. 25A Wapakoneta OH 45895 USDA License #31-C-0221
FROM: Dana M. Miller, DVM Supervisory Veterinary Medical Officer USDA, APHIS Animal Care
DATE: February 1, 2021
SUBJECT: Notice of Intent to Confiscate Animal

PLEASE TAKE NOTICE that the following animals owned by Robert Sawmiller, which are currently maintained by you at [redacted] have been found to be suffering as the result of your failure to comply with the provisions of the regulations and standards promulgated under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.) (AWA or Act), including specifically sections:
3.127(b) Facilities, outdoor: Shelter from inclement weather
3.129(a) Feeding

- Animals: 1 female brown bear reportedly 4-6 years old
1 male brown bear reportedly 8 years old
1 female black bear reportedly 15 years old
1 juvenile brown bear reportedly 2 years old
1 female brown bear reportedly 6 years old
1 adult male black bear, age unknown

THEREFORE, the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), requires that the condition of these animals be corrected immediately and that adequate care be given to alleviate the animals' suffering as directed in the attached inspection report dated February 1, 2021.

In the event that you refuse, fail, or are otherwise unable to comply with this request by 03:00 PM local time, Tuesday February 2, 2021, APHIS will confiscate the identified animals, pursuant to Section 16 of the Act (7 U.S.C. § 2146) and Title 9, Code of Federal Regulations, Section 2.129 (9 C.F.R. § 2.129).

Further, you are instructed not to euthanize or remove the identified animals from the facility located at [redacted]. If you need to move any of the said animals for the purposes of obtaining veterinary care, you must request approval to do so in writing from the USDA, APHIS, Animal Care, Assistant Director of Animal Welfare Operations, Dr. Aaron Rhyner.

For further information, please contact Dr. Aaron Rhyner at 970-494-7484.

[Redacted signature area]

Dana M. Miller, DVM
Supervisory Veterinary Medical Officer
USDA, APHIS, Animal Care

Received by: Robert Sawmiller Date 2/1/21
Title: Licensee

The licensee Refused to sign this notice. It was personally delivered and verbally reviewed with the licensee on 2/1/21 by



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[Redacted signature area]



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TO: Robert Sawmiller 16761 County Rd. 25A Wapakoneta OH 45895 USDA License #31-C-0221
FROM: Dana M. Miller, DVM Supervisory Veterinary Medical Officer USDA, APHIS Animal Care
DATE: January 29, 2021
SUBJECT: Notice of Intent to Confiscate Animal

PLEASE TAKE NOTICE that the following animals owned by Robert Sawmiller, which are currently maintained by you at [redacted] have been found to be suffering as the result of your failure to comply with the provisions of the regulations and standards promulgated under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.)(AWA or Act), including specifically sections:

- 2.131(b)(1) Handling of Animals
3.127(b) Facilities
3.128 Space Requirements
3.129(a) Feeding
3.130 Watering

- Animals: 1 female brown bear reportedly 4-6 years old and an undetermined number of newborn bear cubs, all currently housed in a metal barrel
1 male brown bear reportedly 8 years old, currently housed in a metal barrel
1 female black bear reportedly 15 years old, currently housed in a metal barrel
2 juvenile brown bears reportedly 2 years old, currently co-housed in a single metal barrel
1 female brown bear reportedly 6 years old, currently housed in a metal barrel

THEREFORE, the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), requires that the condition of these animals, specifically being locked into the metal barrels, be corrected immediately and that adequate care be given to alleviate the animals' suffering as directed in the attached inspection reports dated January 26, 2021 and January 29, 2021.

In the event that you refuse, fail, or are otherwise unable to comply with this request by 09:00 AM local time, Monday February 1, 2021, APHIS will confiscate the identified animals, pursuant to Section 16 of the Act (7 U.S.C. § 2146) and Title 9, Code of Federal Regulations, Section 2.129 (9 C.F.R. § 2.129).

Further, you are instructed not to euthanize or remove the identified animals from the facility located at [redacted] If you need to move any of the said animals for the purposes of obtaining veterinary care, you must request approval to do so in writing from the USDA, APHIS, Animal Care, Assistant Director of Animal Welfare Operations, Dr. Aaron Rhyner.

For further information, please contact Dr. Aaron Rhyner at 970-494-7484.

[redacted signature]
Dana M. Miller, DVM
Supervisory Veterinary Medical Officer
USDA, APHIS, Animal Care

Received by: Robert Sawmiller Date 29, Jan 2021

Title: Licensee

The licensee refused to sign this notice. The licensee was provided a copy on 1/29/21 by Dana M. Miller. [redacted]



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