



LÄNSSTYRELSEN  
VÄSTRA GÖTALANDS LÄN

Emma Filip Petersson  
Welfare Inspector  
010-2245312

DECISION 26 § DL  
2017-11-28

Reference number  
282-33403-2017

Page  
1 (8)

ARVIDSSON Christl  
Buddeberg 505 451 91  
UDDEVALLA

service Receipt

## Imposition of fine under the Animal Welfare Act

### Decision

The County Board decides on the basis of § 26 Animal Welfare Act (1988: 534) to submit to you Christl Arvidsson, with personal XXXXXXXX-XXXX that: Within three days after your receipt of this decision, ensure that:

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1. The claws of the adult dogs are not too long., That they should not touch the ground when the dog is in the normal position
2. All dogs are satisfactorily clean, meaning that they are free from major areas of dried-up mud in the coat.
3. All dogs have access to clean water. \_\_\_\_
4. All dogs have access to berths, dry, clean and soft.
5. The deck meets the exercise yard, that is, that the dogs being held there have access to the indoor space or isolated hut and raised lying area, or stop to keep dogs on the patio.
6. All the runs and areas where dogs are kept clean is satisfactory, that is to say that there should not be old stool.
7. Cease licensable activities, ie not breed more litters in 2017 and ensure that you do not get more than two litters per year going forward.
8. The cats have access to a heated area with dry, clean and soft berths.

Four weeks after receiving this decision to ensure:

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9. All adult dogs are acceptable barb.
10. All air areas drained or be provided with suitable material so that the land becomes muddy and mushy.

Points 1-4 are joined each with a fine of 1000 SEK per dog if the injunction is not respected.

Paragraph 5 is combined with a fine of SEK 3000 if the injunction is not respected. Paragraph 6 is combined with a fine of 3,000 per space is not satisfactory clean.

Item 7 is combined with a fine of 10 000 per time Administrative Board finds that the order is not complied with. The point will be followed up once in 2017 and again 2018th

County Board decides on the basis of 74 § Protection Ordinance (1988: 539) that this decision will apply immediately even if it is appealed.

#### Description of the errand

The County Board has on several occasions over the years 2010-2017 found deficiencies in your livestock. You have four times been submitted to correct noted deficiencies regarding the dogs, and once the current horse passport.

On 18 November 2010 (282-11616-2010) was presented to you, among other things to ensure that all the dogs in your care would be acceptable in the flesh, have their claws clipped, kept satisfactorily clean, have access to potable water, access to soft and clean berths, the dogs' storage facilities would be satisfactorily clean and narrowing down your business to the permit. On December 7, 2011 (282-30649-2011) presented to you again to cease the licensable activities, ensuring that all dogs had access to clean water and that the dogs' areas would be cleaned. Points of order was associated with a fine.

On March 8, 2012 (282-5118-2012) presented to you one more time to give your dog access to good quality water and to ensure that the deck met the requirement of the exercise yard, alternatively cease to keep dogs there. The point concerning water was associated with a fine.

On July 6, 2012 (282-19361-2012) presented to you to make sure that areas where the dogs were kept would be satisfactorily clean and that all dogs should have access to clean, dry and soft berths. The point regarding refuse collection was combined with a fine.

Submissions have been followed up and deficiencies have been for one or more checks cleared and then in some cases come back.

In the control October 12, 2017 stated the provincial government several shortcomings in animal husbandry. The dogs Lucky and Zeuz had the long claws, they took the ground when they were standing on level ground. All dogs that provincial government hullbedömde was below normal hull. The puppies were somewhat thin, while Billie, Lucky and Zeuz was very thin with ribs, spine and hip bones sticking out without protective

fat, they could easily feel. County Administrative Board believes that the dogs do not get enough food for an extended period. The dogs Boomer, Bella, Prada and Zeus was not satisfactorily clean, the coat was muddy throughout the legs, stomach and chest. In several of the farms break it was very muddy and wet and there was very old feces in both break the courtyards and on the patio. There was no resting place to all dogs that met the requirements to be dry, clean and soft. Puppies on the patio also lacked access to the house or indoor space and raised lying area. The water that was in some of the kennels were dirty from mud and algae, and even the bowls were dirty. It was revealed during the verification that you had three litters during the year, even though you are not licensed under § 16 animal protection law.

You have been given the opportunity to express yourself over the information which has formed the basis for this decision.

Some observations have not been received by the County Board in the opinion of the time, but during a phone call with you November 7, 2017 stated the following: You believe that Björn is responsible that all deficiencies have arisen since you handed over responsibility to him when you were working out for six weeks. You stated that you did not think that he would take care of some animals and that he had not handled it as he said he would. You said that Bjorn had now moved and lived at another address, he had no responsibility or influence on the animals in the current situation. You said that you were moving from house no later than 26 December 2017, that then it would be no animals left there. You stated that you had necked all the hens and the cats would get access to the henhouse when done clean there. Lucky and Prada had moved to a girlfriend in Skellefteå, Seven puppies were checked by a veterinarian without comment, and several puppies were sold. The remaining puppies were also registered, inspected and sold. You had added a puppy food for adult dogs because they may be more likely to gain weight. The cages that were in the basement had you thrown.

### Reason for the decision

Dogs' claws should be inspected regularly and trimmed if necessary. Long nails can cause your dog unnecessary suffering, for example by changing leg position, which may create discomfort and pain or risk of injury when the claws may get caught. Both Lucky and Zeus had the long claws of the checks 12 October 2017. Dogs must be kept satisfactorily clean and get the necessary grooming. It is not acceptable to let the dog have mud in so many parts of the coat. It can cause the coat loses its function and, for example, does not insulate well against cold. When the check was four of your dogs very dirty and muddy, the coat was muddy throughout the legs, stomach and chest and partially up over the back. Dogs should be given enough water, and the water must be of good quality. Canine Water bowls should be cleaned every day to ensure good water quality. It is advisable to have two rounds of water bowls to replace and clean them effectively. When checking the time being the water that was in the

some of the kennels dirty both in mud and algae, and even the bowls were dirty and in need of cleaning.

Dogs that are in the exercise area will have access to soft, clean and dry berths, a raised lying area and access to the indoor room or cabin. This is so that they can choose different locations to protect both shade and sun and protection from wind and rain. A dog house should be insulated and well ventilated. It shall be designed so as to protect against wind, direct sunlight, rain, cold and moisture. This means that a dog must have access to an isolated space, an uninsulated house does not meet these requirements. In the hut, there should be dry, clean, soft mattress this for the dogs to be able to be comfortable and to achieve thermal comfort and freezing. In an exercise area, there should be a lookout post in the form of one of the ground raised berth, this is for the dogs to get a good overview of their surroundings, it is important to berth comes up properly from the ground. The dogs can then also get away from the cold ground or seek shade under the berth. The lying area must be at least 0.5 meters high and be so great that every dog can safely lie down in a natural position. When checking the time lacked the smooth, clean and dry lying area for dogs in all exercise areas and on the patio. Puppies on the patio lacked even raised sleeping area and access to the house or indoor space. Exercise areas shall be kept satisfactorily clean and should be drained so that the soil does not become mushy. If the dogs are kept in areas that are not clean is a greater risk to the soil down and comes into contact with pathogens that can make them sick. When checking the time there was much stool in both break the courtyards and on the patio and to the ground in the exercise yards were very muddy and wet. To a greater extent keeping, breeding or selling dogs require a so-called § 16 states. You got your 2010 license revoked and thus do not breed more than two litters per year. County Board has informed about this in the past, including two injunction decision. Despite this, the provincial government in checking the state that you have made three litters in 2017. The County Administrative Board takes seriously that you once again conducts activities without permission. Cats that are kept outdoors must have access to a heated space where they can find shelter and access to clean, dry and soft berths, this in order to be able to be comfortable and to achieve thermal comfort and not have to freeze. A heated room with dry, clean and soft berths were missing when checking the time.

Animals should be given enough food so they do not get too skinny. When checking the time Hull was rated Billie, Lucky, Zeus and some of the puppies. The adult dogs were very thin with ribs, spine and hip bones sticking out and felt a sharp, no protective layer of fat over the skeletal structure. County Board estimates that over a long period have not received enough feed. Many of the shortcomings of the County Board decides to submit to you that the remedy has been pointed out numerous times over the years. It is remarkable that despite this occurring again.

When conditions indicate that deficiencies continued for some time and there obviously can be assumed that on its own initiative will look to remedy them reason to submit to you for correction as above.

County Board believes that, in light of what emerged in the case is justified and indicate position from animal welfare to unite this order with a fine. This is to ensure that good animal husbandry and animal care achieved under current legislation.

The order is of significant importance from an animal welfare point of view and means no costly investment to be met. The decision should apply even if it is appealed.

What you have expressed your opinion claims that you already necked all the chickens will allow the County Board chooses not to submit to you that the gaps regarding the hens. The chickens have been culled checked in conjunction with the County Board follows up this injunction. It was found during the inspection and clarified in your opinion that Bjorn Arvidsson no longer living at the address that he has or will go out of your kennel, and that he no longer has any responsibility or control over the animals. County Administrative Board's assessment is that both of you have been responsible for the animals during the time when the defects occurred but decides to align the injunction only to you because in the current situation, you are responsible for the animals and have a real opportunity to address the gaps.

## Provisions that decision is based on

### Animal Protection Law (1988: 534)

2 § Animals treated well and protected from unnecessary suffering and disease. 3 § Animals should be provided with sufficient feed and water and sufficient supervision. The feed and water should be of good quality and adapted to the species being fed. Stall and other storage areas for animals and enclosures to give the animals sufficient space and protection. Stall and other storage areas for animals to be kept clean. § 4 Animals must be kept and cared for in a good environment and in such a way that it promotes their health and will allow them to behave naturally. § 16 Authorization for the operation, it must have a professional basis or on a larger scale

1. keeping, breeding, leases or sells animals or receives pet for storage or feeding,
2. keep, breed, leases or sells horses or accept horses for storage or feeding, or the use of horses in the riding school, or
3. breeds fur animals.

Issues of state examined by the authority appointed by the Government. The Authority may also revoke a granted permission. In the licensing process should take particular account of the applicant can be considered suitable to operate and that the facilities in which operations are conducted is appropriate from the welfare point of view.

### Animal Welfare Ordinance (1988: 539)

2 § An animal stall to be designed so that the climate in the stable becomes satisfactory. Animal Welfare Agency regulations permit requirement pursuant to 16 § Animal Welfare Act (1988: 534) for holding mm of horse, dog, cat and other pets, DFS 2004: 5, saknr L120

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4 § The activities of the dog shall be deemed to be of greater scope:

1. ratio of 10 or more dogs older than 12 months,
2. breeding of 3 or more litters per year,
3. The provision of three or more dogs per year,
4. The sale of dogs from 3 or more litters per year from our own breeding,
5. The sale of 3 or more dogs per year from another breeding, and
6. storage and feeding of 4 or more dogs.

Swedish Board of Agriculture's administrative provisions and general guidance on the keeping of dogs and cats, SJVFS 2008:

5, saknr L012 Chapter 1

6 § indoor enclosures to be ventilated and isolated so as to maintain a temperature and humidity suitable for the animals held there.

*General guidelines on Chapter 1. 6 §*

*The indoor temperature in dog and cat pens should be 10-21 °C, depending on the dog's or cat's age and race. Old and young individuals usually need higher ambient temperature.*

§ 12 lying areas in indoor spaces and cabins should be clean and dry and have a soft surface.

Lying areas should be so large that the animals can lie down in a natural position.

*General guidelines on Chapter 1. 12 §*

*Dogs should be allowed to embed.*

15 § Dogs and cats kept in an exercise yard should have access to places that can provide both shade and sun and protection from wind and rain. The land must be drained so that it does not become mushy under normal weather conditions. The base should be of such material that the dog or cat is free to go at it. If there is no indoor space adjacent to the exercise yard animals shall have access to a hut.

§ 18 Dogs and cats must be given daily feed. The lining must guarantee adequate, comprehensive and balanced nutrition and administered in such quantities that they do not get too skinny or too fat.

§ 19 Dogs and cats must be kept satisfactorily clean and coat should be managed. § 20 Storage

facilities for dogs and cats should be kept satisfactorily clean. Chap 2

2 § air runs there should be a view item in the form of a raised from ground couchette. The lying area must be at least 0.5 meters high and be so great that every dog can safely lie down in a natural position. Small breeds and dogs with reduced mobility to have gangway or stairway if they are not able to jump up themselves.

*General guidelines on Chapter 2. 2 §*

*The lying area should be equal to the height at the withers of the dog to allow the dog to use the space for berth to get a berth in the shade.*

5 § A dog house should be insulated and well ventilated. It shall be designed so as to protect against wind, direct sunlight, rain, cold and moisture.

*General guidelines on Chapter 2. 5 §*

*The cabin should be provided with a windbreak / wind lock so that the wind can not blow straight into the house.*

A control authority may issue the orders necessary for the law, the regulations and decisions that have been issued under the Act, the EC regulations complemented by the Act and the decisions that have been issued under the EC rules should be followed. Submissions may be subject to penalty under § 26 animal protection law.

An agency may decide that its decision should take effect immediately, even if the appeal (§ 74 Protection Regulation).

## Information

If you follow this decision at the right time, you do not pay the fine. However, if you do not follow the decision, the Administrative Board to apply to the court that you be required to pay liquidated damages. County Board may also take further decisions with a penalty if you have not followed the earlier decision. You can not free yourself from the requirements of the decision by paying liquidated damages.

If you do not follow this decision, the board of supervisory duty to take further action. In such a case, the County Board may consider the question of disposal of animals and prohibiting the care of animals. Follow-up inspection will be to check that the decision has been followed. Upon inspection carried out at the justified notification or follow-up inspection of the noted deficiencies to a fine in accordance with the Swedish Board of Agriculture's regulations and general guidelines (SJVFS 2008: 67) on public welfare controls.

## You can appeal the decision

See Appendix 1.

## Those who participated in the decision

The decision was made by the operation manager Henrietta Johansson with animal welfare inspector Emma Filip Petersson as rapporteur.

*This decision has been confirmed digitally and therefore lack signatures.*

Henrietta Johansson  
Function Manager

Emma Filip Petersson  
Welfare Inspector

## Appendix

1. You can appeal the decision

## You can appeal the decision

If you are not satisfied with the County Administrative Board's decision, you can writing appeal the decision of the Administrative Court. Note that you should send or submit the appeal to the County Administrative Board of Västra Götaland, 403 40 Gothenburg. You can also file the appeal by e-mail [vastragotaland@lansstyrelsen.se](mailto:vastragotaland@lansstyrelsen.se). It should do because the County Board must consider whether the appeal has been received in good time, before it is forwarded to the Administrative Court.

## The time for appeal

Your appeal must be received by the County Board within three weeks from the day you received the decision. If it comes in later appeal is inadmissible. In your appeal, you can ask for additional time to develop your views and reasons why you appeal. Then there is the administrative court to decide whether the time may be extended or not.

If any party appeals the decision, such as a municipality or other public authority, time three weeks from the date on the decision.

## Your appeal must include:

- which decision is being appealed, the decision date and reference number
- how you want the decision to be changed
- why you think the county administrative board's decision is wrong Also include

the following information, if you have not left them:

- personal
- address home
- phone number where you can be reached
- any other information necessary to be able to send documents to you if you have documents or other things that you believe supports your idea, you should send copies of these.

## Agent

You have the right to appoint a representative to attend the appeal for you. In this case, the agent sign the letter, attach a power of attorney in the original from you and give his name, address and telephone number.

## further information

Need to know more about how to do this, do not hesitate to call the County Board, telephone 010-224 40 00. Ask for the person who presents reports on the decision.