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Bailing Out Benji

**INVESTIGATIVE  
SPECIAL REPORT**

VERSION 1.0 SEPTEMBER 22, 2020

**PET STORES IN AZ ARE VIOLATING THE STATE LAW**  
AN INVESTIGATION INTO A LONG HISTORY OF SHADY  
AND DECEITFUL PRACTICES

# PET STORES IN AZ ARE VIOLATING THE STATE LAW, PROBABLY VIOLATING FEDERAL LAW AND HAVE A LONG HISTORY OF SHADY AND DECEITFUL PRACTICES

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 **Animal Kingdom**



## **Pet Store Chain Info:**

The pet store chain is owned by *Valley Pet Centers, Inc.* They publicly go by the names “*Puppies N’ Love*” and “*Animal Kingdom*” and by the corporate name “*Companion Pets, Inc.*” or “*CPI.*” This chain is owned by Vicki Mineo and Frank Mineo of Phoenix, Arizona.

Distribution Center Location: 2001 N Black Canyon Highway, Phoenix AZ 85009

## **The pet store locations are in the following cities:**

- Animal Kingdom at Arizona Mills Mall in Tempe, Arizona
- Animal Kingdom at Tucson Mall in Tucson, Arizona
- Puppies N’ Love at Arrowhead Towne Center in Glendale, Arizona
- Puppies N’ Love at Paradise Valley Mall in Phoenix, Arizona
- Puppies N’ Love at San Tan Village Mall in Gilbert, Arizona

# HISTORY OF STATE LAW

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Phoenix banned pet stores from selling puppies from puppy mills in 2013. This pet store chain sued the city. Around the time that a federal district court judge ruled in favor of Phoenix, the city of Tempe also banned pet stores from selling puppy mill puppies. Then, the owners of this pet store chain went to the state legislature and Rep. Shooter rushed a striker bill through state law preempting the cities ordinances on the Mineos' behalf, making the lawsuit moot as it was pending appeal. That state law preemption – ARS 44 1799.08-11, while devastating to the complete ban on puppy mill puppies in Arizona, did include some provisions on the sourcing of pet store puppies. Namely, the law stipulates that if the pet stores violate the law they must transition to a humane model and source their puppies from shelters instead of breeders in addition to defining monetary fines.

## ARIZONA STATE LAW VIOLATION

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Bailing Out Benji (BOB) and Animal Wellness Action (AWA) have proof this pet store chain violated the state law.

### **According to State Law:**

#### **ARS 44-1799.10 Section A**

*A pet store or pet dealer may not obtain a dog or cat for resale or sell or offer for sale any dog or cat obtained from a person who is required to be licensed by the pet dealer regulations of the United States department of agriculture under the animal welfare act (7 United States Code sections 2131 through 2159) if any of the following applies:*

*Within two years before obtaining the dog or cat the person commits a direct violation of any of the pet dealer regulations of the United States department of agriculture under the animal welfare act (7 United States Code sections 2131 through 2159).*

## This law has been violated in that:

Sugarfork Kennels (now Arrow Valley with a new license number) owned by the Andersons received a **Direct Violation** during a USDA Inspection in October 2017 and the Mineos shipped in and sold at least **237 puppies** from them over the next two years and beyond.

## Sugarfork Violation:

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### Inspection Report

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Sugarfork Kennels L L C  
Route B Box 2941  
Goodman, MO 64843

Customer ID: **42716**  
Certificate: **43-A-6038**  
Site: 001  
SUGARFORK KENNELS L L C

Type: ROUTINE INSPECTION  
Date: 04-OCT-2017

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#### 2.40(b)(2) DIRECT

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

At time of inspection a female Golden Retriever, housed in an outdoor enclosure with two other dogs (identification unknown), was observed to be thin. Upon closer examination, the dog's waist was extremely tucked and the ribs, spine and hip bones were very prominent. The gums of the dog were noted to be white with no capillary refill time when pressed. At that time, I stopped the inspection and requested that the dog be taken to a licensed veterinarian for examination immediately. An extremely thin body condition, if left untreated, can adversely affect the health and well-being of the dog. Additionally, the dog may not be able to handle weather extremes due to her condition. Lastly, the white gums may signify a serious medical condition.

\*The dog was not currently undergoing treatment for the condition.

\* The dog has constant and unfettered access to two self feeders that were full of dog food.

\*The licensee took the dog a licensed veterinarian immediately for an examination.

**Sugarfork shipping puppies to the Mineos':**

STATE OF MISSOURI  
DEPARTMENT OF AGRICULTURE  
DIVISION OF ANIMAL HEALTH  
**SMALL ANIMAL HEALTH CERTIFICATE**

S 0127099

DATE 11-21-18		TRANSPORTED BY <input type="checkbox"/> CAR <input type="checkbox"/> AIR <input type="checkbox"/> RAIL <input checked="" type="checkbox"/> TRUCK							
CONSIGNOR Sugarfork Kennels LLC / Abigail Anderson		CONSIGNEE CPI, Inc.							
ADDRESS 2941 Rt. B		ADDRESS 2001 N. Black Canyon Hwy							
CITY Coedman	STATE MO	ZIP 64843	CITY Phoenix						
			STATE AZ						
			ZIP 85009						
ORIGIN ADDRESS IF DIFFERENT #417-364-8766 or #417-592-0091		DESTINATION ADDRESS IF DIFFERENT #602-255-0166							
SPECIES	BREED	AGE	SEX	DESCRIPTION	RABIES VACCINATION			OTHER VACCINATIONS	
					DATE	TYPE	TAG NO.	DATE	TYPE
K-9	SI	9-20-18	F						
K-9	SI	9-20-18	F						
K-9	SI	9-20-18	M						
K-9	SI	9-20-18	M						
I have inspected the animals described hereon and find them to be free from visible signs of infectious, contagious, or communicable disease. The vaccinations and results of tests are as indicated above.					OTHER REMARKS				
SIGNATURE OF VETERINARIAN Trisha Heffner DVM					ADDRESS 18200 Hwy 59 NW (D514) NW 64850				
PRINTED NAME OF VETERINARIAN TRISHA HEFFNER DVM					TELEPHONE NUMBER 417-451-7266		USDA ACCREDITATION NUMBER 041211		

MO 350-0480 (2-17)      DISTRIBUTION: WHITE - ACCOMPANY SHIPMENT    CANARY - STATE VETERINARIAN    PINK - ISSUING VET FILE

And, Wilbur Byler is a breeder who received a Direct Violation during a USDA Inspection in October 2019 and the Mineos shipped in and sold 10 puppies from him.

**Inspection Report**

Wilbur Byler 13480 E Hwy W El Dorado Springs, MO 64744	Customer ID: 333433 Certificate: 43-A-5997 Site: 001 Wilbur Byler Type: ROUTINE INSPECTION Date: 02-OCT-2019
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**2.40(b)(2) DIRECT**

**ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).**

A 4-year-old female Yorkshire terrier named Dolly (m/c# 956000005268417) was repeatedly squinting her left eye. The entire cornea was blue with a ring of red around the circumference and in the middle of the eye. The reddened area in the middle of the eye was rough and dry and appeared to have a raised corneal lesion. The licensee stated that he noticed the problem about 1.5 weeks earlier, but had not consulted a veterinarian about it. He had been treating the eye topically twice each day with a dietary supplement called Silver Water, which is labeled for oral use for immune system support. The label also stated that the product is not intended to treat, cure, or prevent any disease. Eye problems can progress rapidly, can be painful, and can result in loss of vision. The licensee must have this dog's eye evaluated by a veterinarian for proper diagnosis, must follow the veterinarian's treatment plan, and must follow-up with the veterinarian if the problem does not resolve in a timely manner.

TO BE CORRECTED BY October 3, 2019.



One of the puppies from Byler for sale at the pet store in March of 2020:



Breed	Samoyed
Birth Date	11/29/2019
Color	
Gender	Male
Pet ID	21637
Location	Animal Kingdom - Tucson Mall
Breeder Name	Wilbur Byler

USDA # 43A5997  
USDA/APHIS Search Portal

The Mineos tell the unsuspecting public and possible customers on their website that, **“We will not accept a breeder with any USDA direct violations.”**– All the while, they sold approximately 250 puppies - that we know of - from breeders with direct violations from the USDA.


In addition, according to this section of the law it is illegal to sell puppies from a breeder if:


*The person is not currently licensed by the United States department of agriculture under the animal welfare act (7 United States Code sections 2131 through 2159).*

Yet, the Mineos continually sell puppies from breeders that have no current license.


**Licensees/Registrants Information**

row(s) 1 - 1 of 1

Query Reports	Licensee/Registrant Information	Address
	Cust/Org Name (DBA): <b>CALTAMS PUPPY LOVE ( )</b> Customer No: <b>504831</b> Certificate No: <b>43-A-6352</b> License Type: <b>BREEDER</b> Certificate Status: <b>CANCELLED</b> Status Date: <b>Nov 07, 2019</b>	2756 Canning Factory Rd  ANDERSON, MO 64831 COUNTY: MCDONALD


Home
Available Puppies
About Us
Services
In The News
Contact Us
Giving Back

Home / Available Puppies



**Miniature Schnauzer - 23020**

**Interested in this Miniature Schnauzer call 520-408-1750 or send us a message below.**

**Name \***

First Name  Last Name   
First Last

**Email \***

Email Address

**Phone \***

Phone Number

**Optional Questions**

I would like to receive communication from a pet consultant

By clicking "yes," I authorize Animal Kingdom | Puppies N Love to deliver or cause to be delivered telemarketing text.

Breed	Miniature Schnauzer
Birth Date	2/20/2020
Color	
Gender	Male
Pet ID	23020
Location	Animal Kingdom - Tucson Mall
Breeder Name	Calvin Contrell

USDA # 43-A-6352

USDA/APHIS Search Portal

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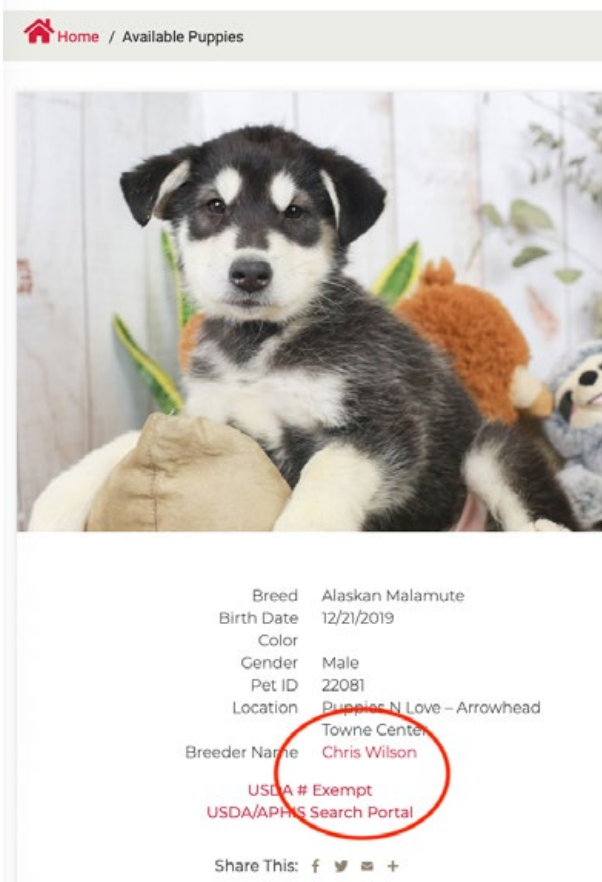
The Mineos are also violating this portion of the State Law:

**ARS 44-1799.10 Section E**

*A pet dealer shall display the source of any dog or cat offered for sale by providing the name of the breeder of the animal, the United States department of agriculture license number of the breeder if the animal is from a breeder that is licensed by the United States department of agriculture and the United States department of agriculture website where information about the breeder may be obtained. The pet dealer shall display the information described in this subsection on both of the following:*

- 1. The cage or enclosure for each animal.*
- 2. All printed or electronic marketing materials about a specific dog or cat that has been obtained by the pet dealer and that is being offered for sale.*

Continually, the Mineos' marketing of puppies on their website and physical cages in their stores do not display the source of the puppy or the USDA license at all, or they display the wrong information. These are just SOME examples:





Chris Wilson is married to Elaine Wilson and they are not “Exempt” from licensure at all. Instead they have over 400 dogs on their property. They are a puppy mill, a dog-farm churning out puppies for profit.




United States Department of Agriculture  
 Animal and Plant Health Inspection Service  
**Species Inspected**

Cust No	Cert No	Site	Site Name
12871	43-A-4205	001	ELAINE K WILSON

Count	Scientific Name	Common Name
000243	<i>Canis lupus familiaris</i>	DOG ADULT
000180	<i>Canis lupus familiaris</i>	DOG PUPPY
<b>000423</b>	<b>Total</b>	

No Breeder info listed at all:



Breed Papillon  
 Birth Date 9/13/2019  
 Color White and Sable  
 Gender Male  
 Pet ID 20273  
 Location Animal Kingdom – Arizona Mills  
 Mill  
 Breeder Name **TBD**  
 USDA # Exempt  
 USDA/APHIS Search Portal



Breed French Bulldog  
 Birth Date 8/31/2019  
 Color  
 Gender Male  
 Pet ID 18396  
 Location Animal Kingdom – Arizona Mills  
 Mill  
 Breeder Name **TBD**  
 USDA # Exempt  
 USDA/APHIS Search Portal

This is not a valid USDA Number; entering the USDA number in the USDA search portal will yield no results:





Breed Morkie  
Birth Date 10/15/2019  
Color Black, Gold, and White Parti  
Gender Female  
Pet ID 20832  
Location Animal Kingdom – Arizona  
Mills Mall  
Breeder Name christina hillyard

USDA # 48b1431  
USDA/APHIS Search Portal

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The Mineos falsely declare transparency:

**News**  
Feb. 15, 2017

**For Immediate Release**  
Contact: Linda J. Nofer (480) 510-2353  
Marketing Director  
[Puppies 'N Love/Animal Kingdom Pet Stores](#)

**Puppies 'N Love & Animal Kingdom Pet Stores Will Provide Breeder Records Despite USDA Website Closure**

**PHOENIX** — Puppies 'N Love and Animal Kingdom pet stores in Arizona continues operating with transparency when it comes to selling puppies and providing breeder information to consumers. We are committed to doing the right thing when it comes to giving the public access to important records and inspection reports so consumers know where our puppies come from and how they are bred.

This in response to a major policy change by the U.S. Department of Agriculture (USDA) on Feb. 3 to remove inspection reports and other documents including personal information, such as "regulatory correspondence, research facility annual reports, and enforcement records that have not received final adjudication" from its Web site. The information is accessible via Freedom of Information Act requests, according to the agency. The decision was made after a year-long review of USDA policies.

Many state and local laws, including Arizona's SB1248, rely on those reports to verify responsible breeders by accessing their USDA inspection reports. Dog and other pet owners also use that Web site to make sure their pets were bred and raised humanely and responsibly.

"The law in Arizona requires pet stores to operate with transparency and high standards with regards to breeders. This move by the USDA was surprising and definitely causes us more work, but we continue to scrutinize inspection reports on our breeders and make them available in our stores," says Frank Mineo Jr., owner of Puppies 'N Love and Animal Kingdom pet stores.

# ENFORCEMENT

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Local law enforcement should uphold the State Laws that are clearly being violated. Each delivery of puppies from Sugarfork Kennels or Wilbur Byler should be considered a violation of this law, the Mineos should be fined for each violation and prohibited from selling puppies from anywhere except the pound or humane society as outlined in the State Law.

## **ARS 44-1799.08**

*In an action brought by a city, town or county to enforce an ordinance against a pet store or pet dealer who knowingly obtains a dog or cat for sale or resale in violation of section 44-1799.10, subsection A or B or who should have known the dog or cat was obtained for sale or resale in violation of section 44-1799.10, subsection A or B, the pet store or pet dealer is subject to the following penalties:*

- 1. For a **first violation**, a civil penalty of not more than **one thousand dollars** per violation.*
- 2. For a **second violation** within a five-year period, a civil penalty of not more than **two thousand five hundred dollars** per violation.*
- 3. For a **third or subsequent violation** within a five-year period:*
  - (a) A civil penalty of not more than **five thousand dollars** per violation.*
  - (b) An order entered by the court enjoining the pet store or pet dealer from selling or offering for sale, for up to three years, a dog or cat obtained from any person other than a publicly operated pound or a private, charitable nonprofit humane society or from any animal adoption activity conducted by a pound or humane society."*

# USDA – POSSIBLE VIOLATION

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The Mineos may also be violating the Animal Welfare Act. BOB and AWA submitted a complaint to the USDA on 2/20/2020 to investigate.

## **Complaint summary:**

First, the Mineos own and operate a distribution center in Phoenix that is not licensed as an intermediate handler, even though the USDA guidelines describe that it should be.

All puppies being shipped in from breeders in the Midwest to be sold at the Mineo's pet stores are shipped first to a distribution center located in an industrial area in Phoenix next to a strip club at 2001 N. Black Canyon Highway. This distribution center is not open to the public and puppies are not sold there. However, puppies are kept there until they're further transported to one of the five pet store locations throughout Arizona.

Since the distribution center is not open to the public and is not where the transactions happen or where the buyers meet the puppies – it does not meet the definition of an “exempt” pet store and should be licensed appropriately as an intermediate handler.

BOB has statements, pictures and videos from employees indicating the conditions of the puppies and the conditions they are kept in are unsanitary and concerning. (There are documented cases of worms in feces, distended bellies, medications not administered properly, infestations of ticks and fleas, etc.)

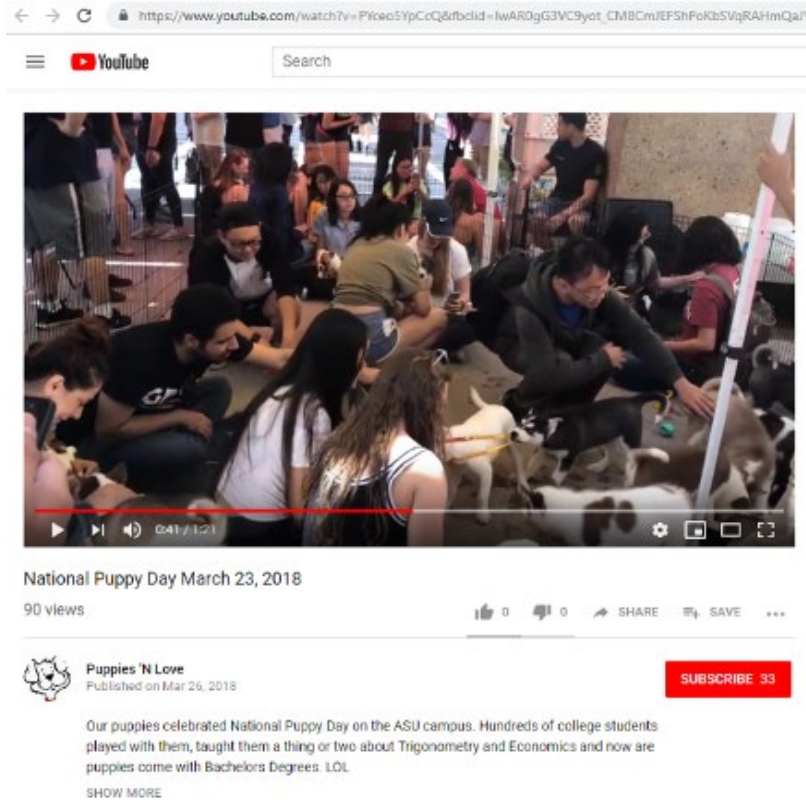
*Statement from previous employee, “In three months I treated over a hundred different puppies for upper respiratory infections. I medicated somewhere between 10-20 dogs for Coccidia, Giardia, and other parasites. I saw two different bulldogs come in with cherry eye, which is an ocular genetic defect only rectifiable with surgery. Six puppies came down with parvo virus... Only one made it through it. The other five never got the chance to know true love, or a home and a family. They were bred in a cage. They died in a cage.”*

We believe this distribution center where puppies are received should be registered as an intermediate handler, and as such must be inspected.

Secondly, the Mineos operate as an “Exhibitor” but are not licensed as exhibitors.

The Mineos take puppies to nursing homes and other public events. Exhibiting puppies in this manner requires licensure per the Animal Welfare Act, and as an exhibitor, they are not exempt from inspection. This pet store must be either be properly licensed as an exhibitor and be inspected or must not exhibit puppies.

### Exhibiting puppies at ASU:



## ENFORCEMENT OF THE FEDERAL LAW

The USDA is notoriously and historically ineffective at regulating and investigating. They have yet to respond to our complaint filed in February of 2020. In 2018, the Washington Post reported that the USDA scaled back their enforcement of animal welfare laws – indicating the USDA enforcement is nearly non-existent.

We cannot depend on them to properly inspect or regulate puppy mills. We must end the puppy mill pipeline and the pet stores that support this industry.



# HISTORY OF SHADY ACTIVITY

- The Mineos regularly used a broker who was cited by the USDA for a deadly incident where puppies died when they overheated in a van. This is in addition to their repeated violations for unsafe transport.
- The Mineos regularly used another broker who didn't even have a USDA license to transport, and was cited by the USDA.
- The Mineos regularly sold puppies from breeders who had cancelled licenses due to violations, who just turned around and got a new license under a new name.
- May 2016, Frank Mineo told a reporter, "we don't deal with breeders that keep their dogs inside a cage." Then posted about receiving a puppy from Randall Miller, a breeder that obviously keeps his dogs in cages.

 **Puppies n Love & Animal Kingdom** added 5 new photos.  
May 5 at 1:47pm · 🌐

We welcomed this little girl Blue Beagle to our Paradise Valley Location yesterday. She was born on March 3rd and is currently 9 weeks of age. She came from one of our loving, long time breeders Randall Miller who specializes in Beagles and French Bulldogs. For more information on her or other available puppies please visit our website at [www.AnimalKingdomAz.com](http://www.AnimalKingdomAz.com)

Breeder Name: Randall Miller  
USDA #: 73-A-2636  
<https://acisearch.aphis.usda.gov>



 **The Humane Society of the United States - Puppy Mills Campaign** ✓  
November 12, 2014 · 🌐

The facility of **Randall Miller** in Oklahoma, which sells to Petland.



- On the Mineos website they claim they visit all of their breeders twice a year to make sure they meet their standards. With over 50 breeders, this would be impossible.
- BOB has dozens of pictures, videos and testimony from customers and ex-employees related to the Mineos' use of unscrupulous breeders, unsafe and unsanitary transportation, unhealthy and even dying puppies, and unsafe conditions.

The Mineos: **"Our puppies come from ethical, well-respected, reputable and compassionate breeders only, guaranteed."**

**Emaciated Great Dane being sold by the Mineos:**



# REFERENCES

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[USDA Guideline for Licensing and Registration Under the Animal Welfare Act](#)

## ARIZONA STATE LAW

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**44-1799.10.** Pet stores; pet dealers; prohibitions on dog and cat purchases; recordkeeping

**A. A pet store or pet dealer may not obtain a dog or cat for resale or sell or offer for sale any dog or cat obtained from a person who is required to be licensed by the pet dealer regulations of the United States department of agriculture under the animal welfare act (7 United States Code sections 2131 through 2159) if any of the following applies:**

- 1. The person is not currently licensed** by the United States department of agriculture under the animal welfare act (7 United States Code sections 2131 through 2159).
- 2. Within two years before obtaining the dog or cat the person commits a direct violation of any of the pet dealer regulations of the United States department of agriculture under the animal welfare act** (7 United States Code sections 2131 through 2159).
- 3.** The person receives an indirect no access violation on each of the two most recent inspection reports issued by the United States department of agriculture under the animal welfare act (7 United States Code sections 2131 through 2159).
- 4.** The person commits three or more indirect violations of the pet dealer regulations of the United States department of agriculture during the two-year period before obtaining the dog or cat for violations relating to the health or welfare of the animal and the violations were not administrative in nature. The indirect violations described in this paragraph do not include a violation described in paragraph 3 of this subsection.

**B.** A pet store or pet dealer may not obtain a dog or cat for resale or sell or offer for sale any dog or cat obtained from a person who directly or indirectly obtained a dog or cat from a person described in subsection A of this section. A pet store or pet dealer is presumed to have acted in good faith and to have satisfied its obligation to ascertain whether a person meets the criteria described in subsection A of this section if, when placing an order to obtain a dog or cat for sale or resale, the pet store or pet dealer conducts a search for inspection reports of the breeder on the animal care information system search tool maintained by the United States department of agriculture.

**C.** Notwithstanding subsections A and B of this section, a pet store or pet dealer may obtain a dog or cat for resale or sell or offer for sale any dog or cat obtained from a publicly operated pound or a private, charitable nonprofit humane society or from any animal adoption activity conducted by a pound or humane society.

**D.** A pet dealer shall maintain records verifying its compliance with this section for at least two years after obtaining the dog or cat to be sold or offered for sale. Records maintained pursuant to this subsection shall be open to inspection on request by a municipal or county peace officer or enforcement official.

**E. A pet dealer shall display the source of any dog or cat offered for sale by providing the name of the breeder of the animal, the United States department of agriculture license number of the breeder if the animal is from a breeder that is licensed by the United States department of agriculture and the United States department of agriculture website where information about the breeder may be obtained. The pet dealer shall display the information described in this subsection on both of the following:**

**1. The cage or enclosure for each animal.**

**2. All printed or electronic marketing materials about a specific dog or cat that has been obtained by the pet dealer and that is being offered for sale.**

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**ARS 44-1799.11**

**The regulation of pet dealers is a matter of statewide concern.** A city, town or county may

enact or enforce an ordinance to enforce section 44-1799.10 against a pet store or pet dealer. Any local law, rule, regulation or ordinance that imposes requirements on pet dealers that exceed the requirements of section 44-1799.10 or penalties prescribed by section 44-1799.08 is preempted. Any local law, rule, regulation or ordinance may not directly or indirectly prohibit or be applied to prohibit the sale of dogs or cats by a pet store or pet dealer, expressly or in effect, based on the source from which the animal is obtained if obtained in compliance with section 44-1799.10.”

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### **ARS 44-1799.08 Part B**

In an action brought by a city, town or county to enforce an ordinance against a pet store or pet dealer who knowingly obtains a dog or cat for sale or resale in violation of section 44-1799.10, subsection A or B or who should have known the dog or cat was obtained for sale or resale in violation of section 44-1799.10, subsection A or B, the pet store or pet dealer **is subject to the following penalties:**

**1.** For a **first violation**, a civil penalty of not more than **one thousand dollars** per violation.

**2.** For a **second violation** within a five-year period, a civil penalty of not more than **two thousand five hundred dollars** per violation.

**3.** For a **third or subsequent violation** within a five-year period:

(a) A civil penalty of not more than **five thousand dollars** per violation.

(b) **An order entered by the court enjoining the pet store or pet dealer from selling or offering for sale, for up to three years, a dog or cat obtained from any person other than a publicly operated pound or a private, charitable nonprofit humane society or from any animal adoption activity conducted by a pound or humane society.”**





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