

Investigative & Enforcement Services  
USDA, APHIS, IES  
May 19, 2011  
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Dollarhite first acquired a few rabbits as a teaching opportunity for

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

for example, selling to (b)(4) That had been far from the imagination of John Dollarhite when (b)(6),(b)(7)(C) with a few rabbits. John Dollarhite had never heard of 9 CFR 2.1.

As he now understands it, when he began selling rabbits to someone who intended to resell those rabbits, it made what had been a perfectly lawful business unlawful, since he did not first apply for and receive a license that he did not know was required. When this rabbit business began his son would have been ineligible to apply for a license, because he was not yet 18. Specifically, the formal charge now made is that he sold “619 regulated animals” [rabbits and guinea pigs] between April 3, 2008 and December 21, 2009, without a valid license. The description of the offense states that he did so “after being formally notified on several occasions” by APHIS officials of the licensing requirement.

My client met with an investigator in January, 2010. The inspector summarized it as follows, that Mr. Dollarhite could sell any number of rabbits to persons who came to his home to purchase those rabbits for meat on their dinner table, but he could not sell any rabbits to anyone who was buying them to resell them as pets, without first having a license. Mr. Dollarhite then asked the investigator whether, if Mr. Dollarhite ceased immediately to raise and sell rabbits and guinea pigs, and just got “totally out of the business”, that would suffice to settle the investigation. The investigator responded it would “look good for him”, but that the investigator was not asking or directing him either to become certified, or to cease sales or production. My client shortly afterward voluntarily chose to cease operations, disposed of his stock, his cages, his equipment, and never sold another guinea pig or rabbit to anyone.

To my client’s understanding, the first “formal notification” he received that he violated the law by not having a required license, was the present letter/notice of April 19, 2011. If there was any formal notice which preceded that notice, I would like you to provide me a copy of that notice, in order that I might discuss it with him. [I am aware there were *informal* conversations in which he expressed a belief he had not violated the law, whereas a representative of APHIS or IES expressed a contrary opinion, but he was told