

INTERVIEW LOG

USDA, APHIS, IES

NAME AND ADDRESS OF PERSON(S)
CONTACTED:
John Dollarite
1537 Osborne Lane
Nixa Missouri 65714

DATE:
January 20 2010

TYPE OF INTERVIEW (BY PHONE OR IN
PERSON):
In Person

ORGANIZATION:
Dollarvalue Rabbitry

TELEPHONE NUMBER:
417-839-4835

SUBJECT:
MO09099-AC

LOCATION OF INTERVIEW:
Nixa Missouri

SUMMARY:

I 1/18/10 I contacted John Dollarite and arranged to met with him at his retail computer store (Dollarvalue Computers) in Nixa Missouri on 1/20/10. On 1/20/10 at the arranged time of 6pm I entered his place of business and introduced myself. I told them I was a USDA APHIS IES Investigator, presented them with my USDA Identification. John Dollarite introduced himself and (b)(6), (b)(7)(C) and his attorney Richard Anderson. I briefly explained my department IES conducted investigations for APHIS Programs VS, PPQ & AC at the program request. I described that after receipt of an Investigation Request for non-compliant activity IES would conduct an investigation relating to the alleged non-compliant activity and would report the finding in a report to requesting program and to the IES Staff. I briefly described the processing of the investigative report and possible penalties that could occur as a result of failure to comply with USDA Laws and Regulations. I briefly described options that would be available to USDA and the Subject(s) of the Investigation to settle the alleged violations. I then informed them that I had been requested by my IES Regional Office and AC Regional Office to conduct an investigation of John Dollarite relating to his alleged sales of regulated animals (rabbits & guinea pigs) in commerce without a USDA Dealers License. I promised them that I would be honest with them and would not mislead them. I stated to them that I had information that John Dollarite had requested and received a Dealer Licensing Packet from USDA in 2006. John Dollarite stated he did receive this information and he in reading that material and talking with other rabbit breeders believed the USDA Regulations did not apply to him. John Dollarite stated he did not sell rabbits wholesale and only sold animals to individuals who came to his property. I stated I had information that he sold and delivered rabbits and guinea pigs (b)(4)

(b)(4) I read 9 CFR 2.1(a) and the definition of 9 CFR 1.1 Dealer to them. John Dollarite stated he sell rabbits and guinea pigs to the two however he did not sell the animals wholesale only retail like a Pet Store and the regulations did not apply to his sales. I read the definition of 9 CFR 1.1 Retail Pet Store (4) and explained that sales of regulated animals to (b)(4) would be considered wholesale sales rather than to one person as a pet. John Dollarite went into detail how the IRS looks at wholesale sales in relationship to his computer store and taxes and how could the US Government have different views. I stated I do not know the IRS Regulations and other State and Federal Laws concerning taxes but in my 34 years working with USDA APHIS Animal Care Regulations I was confident that sales of rabbits/guinea pigs more than \$500 a year to an USDA Exhibitor and to a Pet Store would require the seller to obtain a Dealer's License and would not meet the definition of a Retail Pet Store. John Dollarite continued to explain on why he believed his sales were not regulated because he believed he only sold retail as pets. I stated he could continue to believe what he wished but my report would document alleged violations of sales without a Dealer's License and he could if he wished to debate this issue in a Administrative Hearing if the issue went to that adjudication level. I stated it was important to understand that continued sales in commerce to buyers like (b)(4) after our discussion could possibly lead to more severe penalties in the future. I stated that if they wished to continue their

