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# Western Milling stops making horse feeds after animal deaths



PHOTO CONTRIBUTED | Suzanna, a thoroughbred mare, is photographed after falling through a fence at Black Fence Farms in Clovis as a result of seizures in September 2015. She died later that day.

**David Castellon** – STAFF WRITER

Under a settlement with state officials, Western Milling, LLC, will stop producing horse and specialty feeds at its Goshen manufacturing plant and pay \$526,500 in fines to continue operating after feed produced there killed and sickened dozens of horses and cows.

But the company's legal problems are far from over.

The settlement with the California Department of Food and Agriculture stems from incidents in September

2015 at horse boarding and training facilities in Clovis and Temecula where 20 show horses died and 31 others suffered severe, ongoing health problems after eating Western Milling's Western Blend Horse Feed that had been contaminated with a medical supplement toxic to horses.

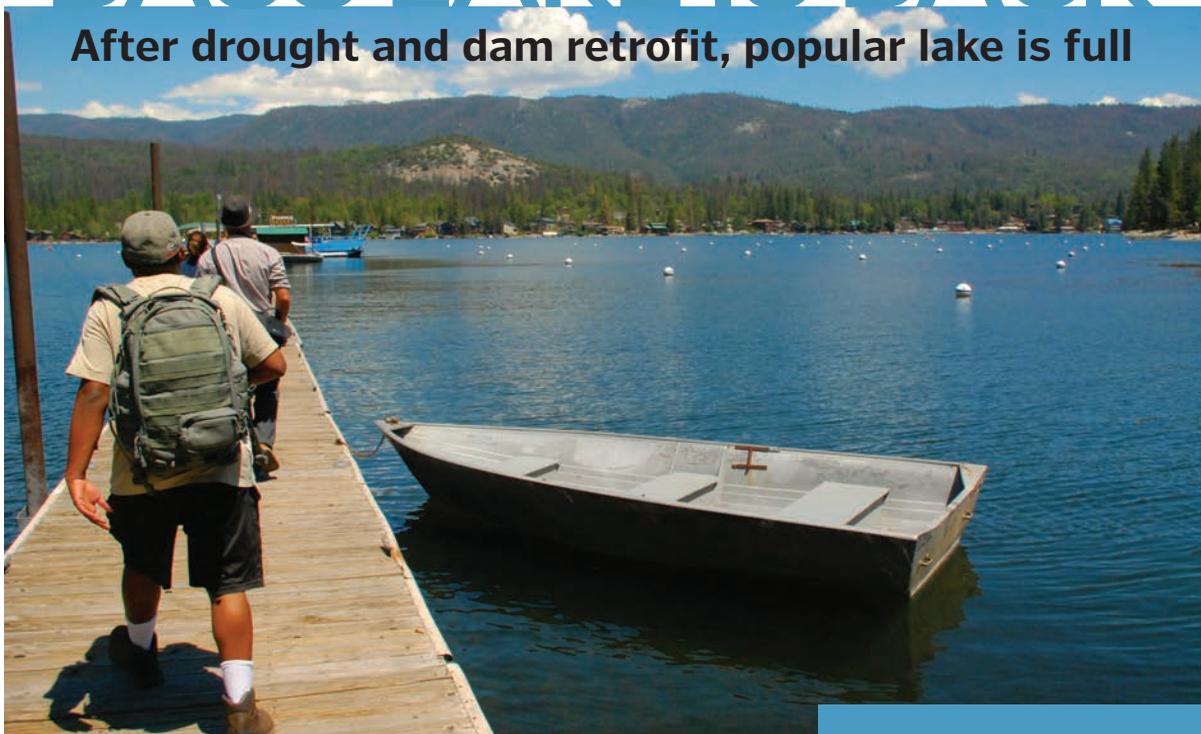
**Flurry of legal action**

The owners of those horses and the boarding businesses

**Western Milling | 5**

# BASS LAKE IS BACK

After drought and dam retrofit, popular lake is full



DAVID CASTELLON | A group of journalists walk along a dock for The Forks Resort at Bass Lake during a tour last week sponsored by local businesses to promote that the lake is full and ready for tourists this summer.

**David Castellon** – STAFF WRITER

BASS LAKE — Some operators of hotels, restaurants, vacation rental homes and other businesses around this lake refer to it as the “second happiest place on earth.”

But over that past few summers

things weren't so happy here. A seismic retrofit of Crane Valley Dam that started in October 2010 lasted just over two-and-a-half years, during which the lake was drained to about half its normal

**Bass Lake | 2**

**FIND OUT MORE**

To find out more about visiting Bass Lake and Yosemite National Park, along with communities and other tourist sites in the area, go online to [www.yosemitethisyear.com](http://www.yosemitethisyear.com).

# Report: Tourism spending spikes in Central Valley



CONTRIBUTED | The Blossom Trail is just one of the tourism attractions in Fresno County that spurred \$1.19 billion in visitor spending last year.

**Gabriel Dillard** – MANAGING EDITOR

Visitors to the Central Valley spent more than \$1.96 billion in Fresno, Kings, Madera and Tulare counties last year, according to a new report that local tourism officials say forecasts good things to come.

Visit California, the state's tourism marketing agency, recently released a report from research firm Dean Runyan

**Tourism | 4**

# Residency proof needed for commercial driver licenses

**David Castellon** – STAFF WRITER

Drivers looking to obtain or renew their commercial licenses will have to provide proof that they're California residents starting Wednesday.

Commercial drivers have had to provide proof that they are U.S. citizens or have legal status to be in the U.S. since 1994, but under newer federal guidelines, they also will need to provide proof of state residency, said Jessica Gonzalez, a spokeswoman for the California Department of Motor Vehicles.

“The new requirements apply to original and renewal CDL applicants, as well as CDL cardholders who request a license upgrade,” states a DMV press release, which adds that applicants for commercial drivers licenses who haven't completed the process by Tuesday will have to provide proof of state residency.

In addition, the documents the California DMV will require to show proof of legal status in the U.S. are being reduced to parallel the requirement set by the federal government in 2012.

Here are some acceptable documents to show proof of legal status in the U.S.:

- A valid, unexpired U.S. passport or passport card
- Certified copy of a birth certificate from a state office of vital statistics or an equivalent agency
- A valid, unexpired permanent resident card
- A valid, unexpired employment authorization document (EAD)
- A valid, unexpired foreign passport with an approved I-94

**Licenses | 3**

PERIODICAL: TIME SENSITIVE PRIORITY HANDLING

## Western Milling | from 1

have filed lawsuits accusing Western Milling of negligence, fraud and defective manufacturing of its feed.

And Western Milling is embroiled in another lawsuit against its insurance carrier for not reimbursing it for more than \$2 million the company paid out to the owners of 861 head of cattle that died in August 2014 at a Goshen-area ranch as a result of eating feeds containing high levels of monensin, the same antibiotic that killed and sickened the horses in Clovis and Temecula nearly a year later.

The 2015 horse deaths led to an investigation by the U.S. Department of Food and Agriculture, which tested the animals' feed and found it had traces of monensin, which is an additive for medicated poultry, cow and bull feeds manufactured at the Goshen plant.

After that initial discovery, Western Milling voluntarily recalled 1,100 50-pound bags of its Western Blend feed.

### Lethal mistake

While beneficial to poultry and cattle in proper doses, even small amounts of monensin can be toxic to horses.

"Almost immediately after consuming the contaminated feed, plaintiffs' horses began to suffer serious adverse side effects" ranging from colic to acute neurological symptoms to sudden death, according to the lawsuit filed by the owners of the horses and the boarding businesses.

Most of those horses were stabled at Black Fence Farm in Clovis, a horse boarding and training facility that relocated to Sanger after the incidents.

Initial reports indicated that some of the animals there died right away, while others fell ill and one suffered a heart attack but survived.

At Ross Equestrian in Temecula, four horses died after eating the tainted feed, and the stable has since shut down.

"Many horses have died painful and violent deaths, other horses have been euthanized after suffering and deterioration for a week and others continue to suffer and deteriorate and require veterinary care on a daily and/or weekly basis," the lawsuit states.

It goes on to say that the surviving horses are unsafe to ride, "and certainly are no longer fit for use or competition."

Fresno attorney Adam B. Stirrup, who is representing the plaintiffs, said the horses were like family to their owners, and the lawsuit states that many suffered anxiety, depression and nightmares over what happened.

Stirrup said his clients see Western Milling's settlement with the CDFA as a step in the right direction.

"But the reality is, unless somebody is going to make sure these regulations are enforced ... I worry if Western Milling is going to live up to this edict and order," said Florida attorney Andrew Yaffa, who also is representing the owners of the dead and injured horses.

### Finding the problem

State and federal investigators haven't determined what happened at Western Milling to cause the feed to be contaminated with monensin beyond stating that an error in mixing the feed ingredients occurred.

Stirrup said the lawyers representing the horse owners have not yet begun the discovery process to try to uncover what happened.

Western Milling didn't respond to interview requests.

Yaffa noted that Western Milling's problems with cross contamination of feed ingredients goes back further than what happened to the horses in Clovis and Temecula.

The FDA's website shows Western Milling voluntarily recalled horse feed produced at its Goshen plant twice in 2011 after state inspectors found monensin in them.

The company also recalled what was supposed to be non-medicated turkey feed in 2010 and 2011 after traces of monensin turned up.

And a lawsuit and countersuit involving Western Milling and its insurance carrier, Praetorian



DAVID CASTELLON | As part of its settlement terms with the California Department of Food and Agriculture, Western Milling must partition its Goshen facility to ensure certain ingredients do not come in contact.

Insurance Co., filed in Fresno County Superior Court details a separate incident which 861 cattle boarded at Goshen West Ranch died, and an undisclosed number suffered unspecified ailments after eating Western Milling medicated feed with overly-high levels of monensin — which also goes by the trade name, "Rumensin."

The suit states that after Western Milling committed to paying the animals' owners more than \$2.66 million to cover their losses, Praetorian didn't reimburse the feed company, leading to the lawsuit.

### Problems in late 2016

And in a separate occurrence, "In 2016, the [Goshen] facility improperly mixed the same livestock drug into medicated cattle feed, which contributed to the deaths of several dairy calves" at a Hanford-area dairy.

In that case, 87 calves died over the course of a week in early September 2016, and the 46 that survived suffer from ongoing health problems preventing them from being bred to produce milk and to give birth to more calves, said Ryan Dias, owner of Dias and Sons Dairy, northwest of Hanford.

He said initially the calves showed signs that they might have pneumonia, but then they collapsed, bloated and died with foam coming out of their mouths.

"Some of the calves that were dying were healthy — beautiful, healthy calves," but an autopsy on one of the carcasses by UC Davis veterinarians revealed it had died of monensin poisoning, Dias said.

UC Davis also tested packages of a vitamin additive made by Western Milling that was added to his calves' feed, and they had monensin at levels higher than they should have been, he recounted.

"We're just raising them to be comfortable," Dias said of the surviving calves, which endured so much organ damage from the monensin that even when they are old enough for breeding, the shock of giving birth likely would kill them.

"This has been devastating to me. I need these animals to replace the older cows when it's time," and they'll never be able to breed, and be milked, which could cost his business heavily if Western Milling doesn't compensate him for his dead and injured cows, he said.

"The compensation they offered me is a joke," said Dias, who turned the offer down and now is suing the feed maker for loss and damages, with a trial tentatively scheduled for December.

### Settlement bars some production

In October 2016, the CDFA initiated a formal process to deny renewal of Western Milling's operating license, which led to negotiations of

manufacturing changes at the company and the agreement with terms that include:

- All manufacturing of equine (horse) feed was discontinued as of April 15.

- Western Milling will maintain samples of bulk products it manufactures for 90 days and keep samples of bagged feeds for 120 days. Some samples may be held longer at the CDFA's request.

- Ingredients moved internally within the Goshen plant will be logged, documented and weighed.

- A daily inventory of animal drugs and bulk feed ingredients will be documented every day manufacturing occurs.

- Animal drugs will be secured at all times.

- A mixer control upgrade will be implemented

- The east and west sides of the Goshen plant will be divided, and a category of ingredients — including monensin — will not be allowed on the west side. Additionally, Western Milling was required to install additional ingredient storage tanks.

- \$200,000 of the company's fine will be paid by buying new equipment and initiating safety measures that exceed industry standards.

### Ensuring safety

Steve Lyle, a CDFA spokesman, said the changes demanded by his agency are "to ensure that safe feed is being manufactured. There are standard operating procedures in place, monitoring activities, and systems of verification and validation to make sure all procedures are properly documented and completed prior to feed leaving the facility."

"I hope somebody will enforce this," said Yaffa, noting that Western Milling has been caught before putting out tainted products but didn't fix the problems.

The agreement also requires that Western Milling discontinue production of specialty feeds for animals that aren't major livestock or pet species, including horses, dogs, cats, cattle, pigs, turkeys, and chickens.

"It was important to include other species that can be adversely affected by monensin as part of the settlement," including rabbits, Lyle said.

Dias declined to comment on CDFA's decision to renew Western Milling's license to operate under the agreed-upon terms or comment on whether he believes USDA or the CDFA — both of which investigated the deaths of his calves — dropped the ball by not taking more stringent action against the company after earlier problems were discovered.

He did say, "If a dairy messed up and violated as many times as Western Milling has been in violation, there is no way we would be in business."