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UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	AWA Docket No. 08-0177
	)	
Terri Wilson d/b/a	)	
Whistlin W. Kennel,	)	Consent Decision
	)	and Order
Respondent	)	

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent willfully violated the Act and the regulations and standards issued pursuant to the Act (9 C.F.R. § 1.1 et seq.). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondent admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this

decision.

The complainant agrees to the entry of this decision.

#### Findings of Fact

A. Terri Wilson, hereinafter referred to as the respondent, is an individual doing business as Whistlin W. Kennel, with a current mailing address of 903 Taylor Street, Bethany, Missouri 64424.

B. The respondent, at all times material herein, was licensed and operating as a breeder as defined in the Act and the regulations.

#### Conclusions

The respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

#### Order

1. Respondent, her agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations and standards issued thereunder, and in particular, shall cease and desist from:

(a) Failing to establish and maintain programs of disease control and prevention, euthanasia, and adequate veterinary care under the supervision and assistance of a doctor

of veterinary medicine;

(b) Failing to properly tag animals;

(c) Failing to allow inspection of her premises and records;

(d) Failing to maintain adequate records on the animals;

(e) Failing to construct and maintain housing facilities for animals so that they are structurally sound and in good repair in order to protect the animals from injury, contain them securely, and restrict other animals from entering;

(f) Failing to provide animals with adequate shelter from the elements;

(g) Failing to keep water and/or food receptacles clean and sanitized;

(h) Failing to provide for the regular and frequent collection, removal, and disposal of animal and food wastes, in a manner that minimizes contamination and disease risks;

(i) Failing to provide adequate heating for animals in indoor and sheltered housing facilities when necessary to protect the animals from cold and to provide for their health and comfort;

(j) Failing to provide sufficient space for animals in primary enclosures; and


(k) Failing to establish and maintain an effective program for the control of pests.


2. The respondent is assessed a civil penalty of \$3,000.00 which shall be paid by a certified check or money order made payable to the Treasurer of the United States.

3. The respondent's license is suspended for a period of thirty (30) days and continuing thereafter until the respondent demonstrates to the Animal and Plant Health Inspection Service that she is in full compliance with the Act, the regulations and standards issued thereunder, and this order, including payment of the civil penalty imposed herein.

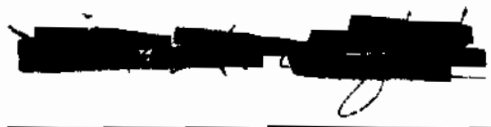
The provisions of this order shall become effective on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.

  
\_\_\_\_\_  
Terra Wilson  
Respondent

  
\_\_\_\_\_  
Brian Hill  
Attorney for Complainant

Done at Washington, D.C.  
this 16 day of July, 2009

  
\_\_\_\_\_  
Administrative Law Judge  
Jill S. Clifton