

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

2017 MAR -1 AM 11: 59

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In re:) HPA Docket 17-0089
)
ANDREW WAITES, an individual,)
)
Respondent.) CONSENT DECISION AND ORDER

This proceeding was instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 et seq.)(HPA or Act), by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on January 9, 2017, alleging that respondent Andrew Waites violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to these proceedings (7 C.F.R. § 1.138).

Respondent Andrew Waites admits the jurisdictional allegations in 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 to the entry of this decision, for the purpose of settling this proceeding. The complainant agrees to the entry of this decision.

Findings of Fact

1. Andrew Waites is an individual whose mailing address is [REDACTED], [REDACTED]. At all times mentioned herein, Mr. Waites was a "person" and an exhibitor," as those terms are defined in the regulations issued pursuant to the Act (9 C.F.R. § 11.1 et seq.).

Conclusions of Law

The respondent has admitted the facts set forth above and the parties have agreed to the entry of this decision. Therefore, such decision will be entered.

Order

Respondent Andrew Waites is assessed a \$2,200 civil penalty, to be paid by check or money order, made payable to the "USDA/APHIS," indicating that the payment is in reference to HPA Docket No. 17-0089, and sent to:

USDA, APHIS, MISCELLANEOUS
P.O. Box 979043
St. Louis, Missouri 63197-9000

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.


Colleen A. Carroll
Attorney for Complainant


Andrew Waites
Respondent

Done at Washington, D.C.,
this 1 day of Mar 2017


Administrative Law Judge

Jill S. Clifton