

USDA
OALJ/OHC

2017 MAR 21 AM 11:36

RECEIVED

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AWA Docket No.	16-0132
)		16-0133
MARLA CAMPBELL ROGER)		16-0134
CAMPBELL, a Kansas general partnership;)		
MARLA CAMPBELL, an individual; and)		
ROGER CAMPBELL, an individual,)		
)	CONSENT DECISION	
Respondents.)	AND ORDER	

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.) (AWA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents willfully violated 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).

Respondents admit the jurisdictional allegations in the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding, to the entry of this decision. The complainant agrees to the entry of this decision.

FINDINGS OF FACT

1. Marla Campbell Roger Campbell is a Kansas general partnership (Campbell Partnership) whose business mailing address is 266 90th, Newton, Kansas 67114. Marla Campbell and Roger Campbell are the partners in the Campbell Partnership. At all times mentioned herein, respondent Campbell Partnership was a dealer as that term is defined in the Act and the Regulations, and held AWA license number 48-A-1549.

2. Marla Campbell is an individual whose business mailing address is 266 90th,

Newton, Kansas 67114. At all times mentioned herein, said respondent was a dealer as that term is defined in the Act and the Regulations, and was a partner in the Campbell Partnership.

3. Roger Campbell is an individual whose business mailing address is 266 90th, Newton, Kansas 67114. At all times mentioned herein, said respondent was a dealer as that term is defined in the Act and the Regulations, and was a partner in the Campbell Partnership.

CONCLUSION OF LAW

The respondents having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

ORDER

1. Respondents, their 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.

2. Respondents are jointly and severally assessed a civil penalty of \$8,000, to be paid by certified check, money order, or a valid personal check made payable to USDA APHIS, in sixteen monthly payments of \$500 each, beginning April 1, 2017 and ending on July 1, 2018 and sent to USDA, APHIS, Miscellaneous, P.O. Box 979043, St. Louis, MO 63197-9000.

////

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

MARLA CAMPBELL ROGER
CAMPBELL, a Kansas general partnership
MARLA CAMPBELL; and
ROGER CAMPBELL

Respondents.

By


Kurtis B. Reeg
Attorney for Respondents


Lauren Becker
Attorney for Complainant

Done at Washington, D.C.
this 21st day of March 2017


Bobbie J. McCartney
Chief Administrative Law Judge