

ORIGINAL

USDA
OCT 11 11 3: 58

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

FILED

In re:)	Docket No. 11-0422
)	
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 Animal Welfare Act ("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 not licensed under 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) Conducting regulated activities without being duly licensed.

2. The respondent is assessed a civil penalty of \$7,800.00, \$6,000.00 of which shall be held in abeyance provided that she, after notice and opportunity for a hearing, is not found to have violated the Act or the regulations and standards thereunder, or this consent agreement for a period of 3 years. The remaining \$1,800.00 shall be paid by a certified check or money order made payable to the Treasurer of United States.

3. The respondent is permanently disqualified from obtaining a license under the Act.

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.

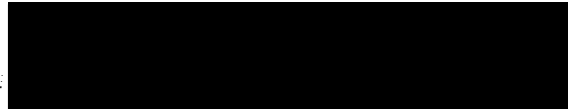


Terri Wilson
Respondent



Brian Hill
Attorney for Complainant

Done at Washington, D.C.
this 11 day of Oct, 2012



Administrative Law Judge

Jill S. Clifton