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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AWA Docket No. 16-0009
)	
CINDY BARDIN, an individual)	
doing business as JUNGLE EXPERIENCE)	
and EXOTIC ANIMAL EXPERIENCE)	
)	CONSENT DECISION AND
Respondent.)	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 respondent violated the Regulations and Standards issued pursuant to the Act (9 C.F.R. § 1.1 et seq.) (Regulations and Standards). 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).

Respondent 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, waives all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees and other expenses incurred by the Respondent in connection with this proceeding or any action against any USDA employee in their individual capacity.

Respondent consents and agrees, for the purpose of settling this proceeding, to the entry of this decision. Complainant agrees to the entry of this decision.

FINDINGS OF FACT

Respondent Cindy Bardin is an individual doing business as Jungle Experience, and whose mailing address is (b) (6) At all times mentioned in the complaint, respondent operated as an exhibitor, as that term is defined in the Act and the Regulations and held Animal Welfare Act license number 21-C-0319 as an “individual.”

CONCLUSIONS OF LAW

Respondent 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. 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.

2. Animal Welfare Act license number 21-C-0319 is suspended for 90 days, beginning October 1, 2018, and continuing thereafter until respondent has successfully passed APHIS inspections, demonstrating to APHIS that she is in full compliance with the Act and the Regulations and Standards. At the written request of respondent, APHIS shall, at a time that is mutually agreeable to both parties, schedule a compliance inspection to occur upon the conclusion of the 90-day suspension period. Once respondent demonstrates that she is in compliance with the Act and the Regulations and Standards, APHIS will file a motion for a supplemental order lifting the license suspension.

3. Respondent is assessed a civil penalty of \$2,500, to be paid by certified check or money order made payable to USDA APHIS and sent to USDA APHIS Miscellaneous, P.O. Box 979043, St. Louis, MO 63197-9000 no later than October 1, 2018.


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


CINDY BARDIN, an individual
doing business as JUNGLE EXPERIENCE
and EXOTIC ANIMAL EXPERIENCE


Lauren E. Becker
Attorney for Complainant

Done at Washington, D.C.

this 31 day of AUG, 2018


Jill S. Clifton
Administrative Law Judge