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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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In re:) AWA Dockets 15-0160 & 15-0161
)
)
EXOTIC FELINE RESCUE CENTER,)
INC., an Indiana corporation doing business)
as Exotic Feline Rescue Center; and JOE)
TAFT, an individual,)
)
Respondents.) CONSENT DECISION
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 (APHIS), on August 6, 2015, alleging that the respondents willfully violated the Act and 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).

Respondents admit the jurisdictional allegations in the complaint, 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 and all AWA issues arising from noncompliance or deficiencies documented by APHIS on September 29, 2015, to the entry of this decision. Complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Exotic Feline Rescue Center, Inc. (EFRC), is an Indiana corporation whose agent for service of process is respondent Joe Taft, [REDACTED], [REDACTED]. At all times mentioned in the complaint, respondent EFRC was an exhibitor, as

that term is defined in the Act and the Regulations, did business as Exotic Feline Rescue Center, held AWA license 32-C-0098, and together with respondent Joe Taft, operated a zoo exhibiting wild and exotic animals at Centerpoint, Indiana.

2. Respondent Joe Taft is an individual whose business address is 2221 East Ashboro Road, Centerpoint, Indiana 47840. At all times mentioned in the complaint, said respondent was an exhibitor, or was an officer or agent of an exhibitor (respondent EFRC) and was acting within the scope of his employment or office.

Conclusions of Law

Respondents having admitted the jurisdictional findings, 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 issued thereunder.

2. AWA license 32-C-0098 is suspended for 14 calendar days, beginning April 3, 2017, and continuing thereafter until respondent EFRC has successfully passed an APHIS inspection at respondent's licensed site, demonstrating to APHIS that it is in compliance with the Act and the Regulations and Standards. At the request of respondent EFRC, APHIS shall, at a date and time that is mutually agreeable to both parties, schedule a compliance inspection to occur upon the conclusion of the 14 day suspension period. Respondent EFRC shall give APHIS at least one week advance notice to schedule the inspection. Once respondent EFRC establishes to APHIS that it 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. Respondents are jointly and severally assessed a civil penalty of \$55,000, to be paid by certified check or money order made payable to USDA APHIS, with \$10,000 to be remitted no later than April 3, 2017, and twelve subsequent monthly payments of \$3,750 each, beginning May 1, 2017 and ending on April 1, 2018 sent to USDA APHIS Miscellaneous, P.O. Box 979043, St. Louis, MO 63197-9000. The certified check or money order shall include the docket numbers of these proceedings (15-0160 and 15-0161).

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

EXOTIC FELINE RESCUE CENTER,
INC., an Indiana corporation

By

[REDACTED]
Rebecca Rizzo, Member Board of Directors
Respondent

[REDACTED]
Samuel D. Jockel
Attorney for Complainant

[REDACTED]
Joe Taft
Respondent

Done at Washington, D.C.
this 30th day of March 2017

[REDACTED]
Bobbie J. McCartney
Chief Administrative Law Judge