

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

A. Q. Docket No. 05-0001

In re:

Suvit Asawapornsnit,
d/b/a Vegasrace.com

SUPPLEMENTAL DECISION AND ORDER

On January 31, 2005, a Decision and Order was entered in this case, finding that the Respondent had violated provisions of the Animal Health Protection Act (7 U.S.C. §§ 8301, et seq.) and the Regulations governing the movement of birds in violation of a quarantine zone imposed due to an outbreak of Exotic Newcastle Disease (END) (9 C.F.R. §§ 82.1, et seq.). A Corrected Decision and Order was entered on February 7, 2005 which again found violations of the above Act and Regulations; however, the amount of the civil penalty was reserved, pending receipt of evidence or memoranda concerning the factors set forth in 7 U.S.C. § 8313(b)(2).

No response was received from the Respondent and the Complainant's Memorandum was filed on February 25, 2005.¹

ORDER

¹ The Complainant requested and was granted an extension of time until February 25, 2005 in which to file their Memorandum.

Being sufficiently advised, the Respondent is **ORDERED** to pay a civil penalty in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00). The said civil penalty shall be paid by certified check or money order made payable to the “Treasurer of the United States” and shall be forwarded within thirty (30) days of the effective date of this Order to:

United States Department of Agriculture
APHIS Field Servicing Office
Accounting Section
P. O. Box 3334
Minneapolis, Minnesota 55403

This Decision and Order shall have the same force and effect as if entered after a full hearing and shall be final and effective thirty-five days after service of this Decision and Order upon Respondent, unless there is an appeal to the Judicial Officer pursuant to 7 C.F.R. § 1.145 of the Rules of Practice.

Copies of this Decision and Order shall be served by the Hearing Clerk’s Office.

Done at Washington, D.C.
this 2nd day of March 2005

PETER M. DAVENPORT
Administrative Law Judge

Hearing Clerk’s Office
U.S. Department of Agriculture
1400 Independence Avenue SW
Room 1081, South Building
Washington, D.C. 20250-2900
202-720-9443
Fax: 202-720-9776