

UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE 2007 APR 10 AM 10:51

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In re: ) AWA Docket No. 04-0005

)

Joshua S. Weinstein

d/b/a Safari Wildlife, )

) Consent Decision

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 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) Joshua S. Weinstein, d/b/a Safari Wildlife, hereinafter referred to as the Respondent, is an individual whose mailing address is PO Box 2126, Quinlan TX 75474.

(b) The Respondent, at all times material herein, was operating as an exhibitor as defined in 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

The respondent is disqualified from being licensed under the Animal Welfare Act, as amended, until March 1, 2008.

The provisions of this order shall become effective upon issuance.

Copies of this decision shall be served upon the parties.

  
Joshua S. Weinstein  
Respondent

  
Robert A. Ertman  
Attorney for Complainant

Done at Washington, D.C.

this 10<sup>th</sup> day of April, 2007

  
PETER M. DAVENPORT  
ADMINISTRATIVE LAW JUDGE