

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AWA Docket No. 04-0025
)	
Jeannine L. Peter, d/b/a)	
LoBraDira Lovin Pups,)	
)	Consent Decision
Respondent)	and Order

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 Act and the regulations 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 1 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

1. Jeannine L. Peter, hereinafter referred to as the respondent, is an individual doing business as LoBraDira Lovin Pups whose address is HCR 70 Box 848, Camdenton, Missouri 65020.

2. The respondent, at all times material hereto, was operating as a dealer 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

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 issued thereunder, and in particular, shall cease and desist from engaging in any activity for which a license is required under the Act and regulations without being licensed as required.

2. The respondent is assessed a civil penalty of \$25,000 of which all is suspended provided that the respondent does not violate the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.) (hereafter "Act") and the regulations issued pursuant to the Act (hereafter "Regulations") within five years of the effective date of this order. If the respondent does violate the Act and the Regulations including but not limited to selling animals without being licensed in accordance with the Act and Regulations then the respondent agrees to pay the \$25,000 civil penalty assessed in this case.

3. The respondent is permanently disqualified from obtaining a license under the Animal Welfare Act. This permanent disqualification means that the respondent cannot engage in any activity for which a license is required.

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.

~~_____~~
Jeannine L. Peter 1/23/2006
Respondent

~~_____~~
for Sharlene Deskins
Attorney for Complainant

Done at Washington, D.C.
this 24 day of 2006
January 2006 dsc

~~_____~~
Jill S. Clifton
Administrative Law Judge