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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWA Docket No. 07-0145
)
BRAD and JANET TURNER,)
)
) CONSENT DECISION AND
Respondents) 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 respondents 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 respondents named herein admit the jurisdictional allegations in the complaint and 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, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Brad and Janet Turner, hereinafter referred to as respondents, are individuals who both reside at 198 Rose Lane, Granby, Missouri 64844.
2. Respondents, at all material times mentioned herein, were operating as dealers as defined in the Act and the regulations.

Conclusions

Respondents having admitted the jurisdictional facts 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 issued thereunder, and in particular, to cease and desist from engaging in regulated activity before obtaining a license to do so.
2. Respondents are disqualified from applying for an Animal Welfare Act license for five (5) years.
3. Respondents are assessed a civil penalty in the amount of \$400.00, which shall be paid by a certified check or money order made payable to the Treasurer of United States and sent to:

Heather M. Pichelman
United States Department of Agriculture
Office of the General Counsel
Marketing Division
1400 Independence Avenue, S.W.
Room 2343 South Building
Washington, D.C. 20250-1417

Respondents shall state on the certified check or money order that the payment is in reference to AWA Docket No. 07-0145.

The provisions of this order shall become effective on the first day after service of this decision on the respondents.

Copies of this decision shall be served upon the parties.


Brad Turner
Respondent


Janet Turner
Respondent


Heather M. Pichelman
Attorney for Complainant

Done at Washington, D.C.
this 7th day of September, 2007


Administrative Law Judge