

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 17-0090
)	HPA Docket No. 17-0091
DALE WATTS, an individual; and)	
JOSHUA D. WATTS, an individual,)	
)	CONSENT DECISION AND ORDER AS
Respondents.)	TO RESPONDENT JOSHUA D. WATTS

This proceeding was instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 et seq.)(HPA or Act), by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on January 9, 2017, and amended on September 6, 2018, alleging that the respondents violated the Act.

Respondents Joshua D. Watts admits the jurisdictional allegations in the amended complaint as to him, and specifically admits that the Secretary has jurisdiction in this matter, denies the remaining allegations, and waives oral hearing and further procedure. The parties consent and agree to the entry of this decision for the purpose of settling this proceeding as to respondent Joshua D. Watts, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 2, 2018. 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).

Findings of Fact

1. Respondent Joshua D. Watts is an individual residing in [REDACTED] and at all times mentioned herein, was a "person" and an "exhibitor," as those terms are defined in the regulations promulgated under the Act (9 C.F.R. Parts 11 and 12).
2. On September 2, 2016, respondent Joshua D. Watts entered a horse (Uptight José) for showing in class 174 in a horse show in Shelbyville, Tennessee.
3. On March 4, 2017, respondent Joshua D. Watts entered a horse (I'm Tebow) for

showing in class 9 in a horse show in Laurel, Mississippi.

Conclusion of Law

Respondent Joshua D. Watts having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent Joshua D. Watts is disqualified for eight months, beginning September 1, 2019, and ending April 30, 2020, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.¹

2. Respondent Joshua D. Watts is assessed a civil penalty of \$1,100, which shall be paid by September 1, 2019, by check made payable to “USDA/APHIS,” indicating that the payment is in reference to HPA Docket No. 17-0091, and sent to:

USDA, APHIS, MISCELLANEOUS
P.O. Box 979043
St. Louis, Missouri 63197-9000

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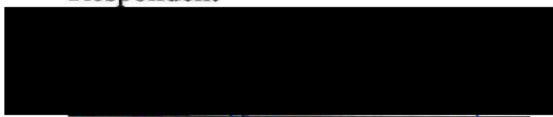
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¹“Participating” means engaging in any activity beyond that of a spectator, and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas or in any area where spectators are not allowed, and financing the participation of others in equine events.


The provisions of this order shall become final and effective on April 15, 2019. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.


Joshua D. Watts
Respondent


Mary K. Burnham
Attorney for Respondent


Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 16 day of April 2019


Jill S. Clifton
Administrative Law Judge