

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	
)	AWA Docket No. 18-0011
DEBRA PRATT, an individual,)	
)	
)	CONSENT DECISION AND
Respondent.)	ORDER

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.) (AWA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), alleging that respondent willfully violated the Act and the regulations and standards issued pursuant to the Act (9 C.F.R. § 1.1 et seq.) (Regulations and Standards). 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).

Respondent Debra Pratt admits the jurisdictional allegations in 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, waives all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Consent Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 et seq.) for fees and other expenses incurred by Respondent in connection with this proceeding or any action against any USDA employee in their individual capacity.

Findings of Fact

1. Respondent is an individual. Respondent's mailing address was not provided in the complaint to protect the privacy of Respondent, but was provided to the Hearing Clerk's Office, United States Department of Agriculture, for the purpose of service of the complaint and future documents.

2. At all times material herein, Respondent operated as a dealer (breeder) as that term is defined in the Act and the Regulations, and held AWA license 42-A-1399.

3. AWA license 42-A-1399 was terminated effective December 19, 2013.

4. Respondent holds AWA transporter registration 42-T-0015.

Conclusion of Law

Respondent having admitted the jurisdictional facts, and the parties having agreed to the entry of this decision, such decision will be entered.

Order

Respondent, Respondent's agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the AWA and the Regulations and Standards issued thereunder.

Respondent is assessed a civil penalty of \$2,000, to be paid in full no later than 30 days after the effective date of this order, by certified check, money order, or a valid personal check made payable to USDA/APHIS. Respondent will send payments to USDA, APHIS, Miscellaneous, P.O. Box 979043, St. Louis, MO 63197-9000.

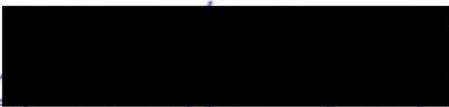
Respondent explicitly waives all further proceedings or hearings in connection with this matter and explicitly agree that, in the event that Respondent does not pay the civil penalty by the required dates, a consent judgment may be entered in the United States District Court without

further proceedings for the full amount due and owing and such interest and penalty thereon, and court costs as may be provided for by law. Interest at the annual rate prescribed by the Secretary of the Treasury, and a penalty at the annual rate of 6 per cent, shall be added from the date the civil penalty becomes due and payable pursuant to 31 U.S.C. § 3717(a)(1) and (e)(2).

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.

By  1-25-18
Debra Pratt
Respondent

By  January 25, 2018
John Wehr, Esq.
Attorney for Respondent

By  January 30, 2018
John V. Rodriguez
Attorney for Complainant

Done at Washington, D.C.,
This 30th day of January 2018


Acting Chief Administrative Law Judge