

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) CTESA Docket No.: 16-0186
)
George Baker d/b/a George Baker Stables,)
)
Respondent) Consent Decision and Order

This proceeding was instituted under the Commercial Transportation of Equine for Slaughter Act, 7 U.S.C. § 1901 note (the Act) by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service alleging that George Baker d/b/a George Baker Stables (hereinafter, respondent) violated the Act and regulations promulgated thereunder (9 C.F.R. § 88 et seq.). The complainant and respondent have agreed that this proceeding should be terminated by entry of this Consent Decision.

For the purposes of this Consent Decision only, respondent specifically admits that the Secretary of the United States Department of Agriculture has jurisdiction in this matter, neither admits nor denies the remaining allegations in the complaint, and admits to the Findings of Fact set forth below.

Respondent waives:

- (a) Any further procedure;
- (b) Any requirement that the final decision in this proceeding contain findings and conclusions with respect to all material issues of fact, law, or discretion, as well as the reasons or bases thereof;
- (c) All rights to seek judicial review and otherwise challenge or contest the validity of this decision; and

(d) 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.

Findings of Fact

1. Respondent George Baker does business as George Baker Stables and has a mailing address of 2245 East Highway 66, Stroud, Oklahoma 74079.
2. On or about May 14, 2012, respondent commercially transported 34 horses from Baker Stables in Stroud, Oklahoma (hereinafter, Baker Stables), to J &R Horse Company, an export pen located in Presidio, Texas, in anticipation that said horses would be exported to Mexico for slaughter.
3. On or about August 12, 2012, respondent commercially transported 145 horses from Baker Stables to Baeza Export Pens in Presidio, Texas, in anticipation that said horses would be exported to Mexico for slaughter.

Conclusions

Respondent has admitted the jurisdictional facts and has agreed to the following Order in disposition of this proceeding; therefore, this Consent Decision will be issued.

Order

Respondent George Baker d/b/a George Baker Stables is assessed a civil penalty of three thousand and twenty five dollars (\$3,025.00). Respondent George Baker d/b/a George Baker Stables shall send a certified check or money order for three thousand and twenty five dollars (\$3,025.00), payable to the Treasurer of the United States, to USDA APHIS, General Lockbox, P.O. Box 979043, St. Louis, Missouri 63197-9000, within sixty (60) days from the effective date of this Order. The certified check or money order should include the docket number of this

proceeding. This Order shall become effective on the date on which it is first served on respondent.

[Redacted signature]

George Baker
d/b/a George Baker Stables
Respondent

[Redacted signature]

David C. Henneke, Esq.
Attorney for Respondent

[Redacted signature]

Thomas N. Bolick
Attorney for Complainant

Issued this 21st day of November, 2016
at Washington, D.C.

[Redacted signature]

Administrative Law Judge

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