

2016 NOV 30 PM 1:08

RECEIVED

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AWA Docket 15-0106
)	
HANNEFORD CIRCUS, INC., a Florida)	
corporation doing business as ROYAL)	
HANNEFORD CIRCUS,)	
)	CONSENT DECISION
Respondent.)	AND 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), on April 28, 2015, alleging that the 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) on March 22, 2014. 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 admits the jurisdictional allegations in the complaint, 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 these proceedings, to the entry of this decision. The complainant agrees to the entry of this decision.

Findings of Fact

1. Hanneford Circus, Inc. (Hanneford Circus), is a Florida corporation doing business as Royal Hanneford Circus. At all times mentioned in the complaint, respondent Hanneford Circus was an exhibitor, as that term is used in the Act and the Regulations. During 2014, respondent hired Carson & Barnes Circus Company, dba Carson & Barnes Circus, to exhibit three

elephants (Kelly, Viola, and Isa).

Conclusions of Law

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

Order

1. Respondent, its 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 and Standards issued thereunder.

2. Respondent is assessed a civil penalty of \$7,000, to be paid by check(s) made payable to the Treasurer of the United States, with payment of \$4,000 to be remitted no later than December 1, 2016, and the remaining \$3,000 to be paid by May 1, 2017.

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

HANNEFORD CIRCUS, INC.
an Florida corporation

By 
Its President
Respondent


Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 30th day of November 2016


Channing D. Strother
Administrative Law Judge