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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:	)	A.Q. Docket No.: 16-0080 and
	)	16-0081
	)	
Dennis V. Chavez, L.L.C.,	)	
and Barrera & Company, L.L.C.,	)	
	)	
	)	
Respondents	)	Consent Decision and Order

This proceeding was instituted under the Commercial Transportation of Equine to 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 respondents Dennis V. Chavez, L.L.C., and Barrera & Company, L.L.C. (collectively, respondents), violated the Act and regulations promulgated thereunder (9 C.F.R. ' 88 et seq.). The complainant and respondents have agreed that this proceeding should be terminated by entry of this Consent Decision.

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

Respondents waive:

(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 Dennis V. Chavez, L.L.C., is a limited liability company, corporation # 2216653, that is incorporated in New Mexico and has a mailing address of 24 Dalies Road, Los Lunas, New Mexico 87031.

2. Respondent Barrera & Company, L.L.C., is a limited liability company, corporation # 4557417, that is incorporated in New Mexico and has a mailing address of 54110 North Highway 187, Arrey, New Mexico 87930.

3. On or about June 16, 2013, 32 horses were commercially transported from Southwest Livestock Auction in Los Lunas, New Mexico, to the Ruben Brito Export Pens in Presidio, Texas, in anticipation that said horses would be exported to Mexico for slaughter.

Conclusions

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

Order

Respondents Dennis V. Chavez, L.L.C., and Barrera & Company, L.L.C., are assessed a civil penalty of six thousand four hundred and seventy five dollars ($6,475.00). Respondents Dennis V. Chavez, L.L.C., and Barrera & Company, L.L.C., shall be jointly and severally liable for payment of the six thousand four hundred and seventy five dollar ($6,475.00) civil penalty until such time as said penalty is paid in full. Respondents Dennis V. Chavez, L.L.C., and Barrera & Company, L.L.C., shall send certified checks or money orders for a total of six thousand four

hundred and seventy five dollar ($6,475.00), payable to the Treasurer of the United States, to USDA, APHIS, General Lockbox, P.O. Box 979043, St. Louis, Missouri 63197-9000, within thirty (30) days from the effective date of this Order. The certified check(s) or money order(s) should include the docket numbers of this proceeding.

This Order shall become effective on the date on which it is first served on respondent Dennis V. Chavez, L.L.C., or respondent Barrera & Company, L.L.C.

[redacted]

DENNIS V. CHAVEZ, L.L.C.
Respondent

[redacted]

BARRERA & COMPANY, L.L.C.
Respondent

[redacted]

Thomas N. Bolick
Attorney for Complainant

Issued this 6th day of July, 2016

at Washington, D.C.

[redacted]

Administrative Law Judge