

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	P.Q. Docket No. 03-0015
)	
St. Johns Shipping Company, Inc.,)	
)	
Respondent)	Consent Decision

This proceeding was instituted under the Plant Protection Act (7 U.S.C. § 7701 et seq.)(the Act), by a complaint filed by the Acting Administrator of the Animal and Plant Health Inspection Service alleging that the respondent violated the Act (7 U.S.C. § 7713(c)). The complainant and the respondent have agreed that this proceeding should be terminated by entry of this Consent Decision.

For the purposes of this Consent Decision only, the 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 the respondent in connection with this proceeding.

Findings of Fact

1. St. Johns Shipping Company, Inc., hereinafter referred to as the respondent, is a business incorporated in Florida and having a mailing address of 3505 NE 19th Street, Hollywood, Florida 33316.


2. On or about September 1, 2001, a shipment manifested as "toys and crafts" from the Bahamas was moved from a port of entry without inspection by, and authorization for entry into or transit through the United States from, the U.S. Department of Agriculture Animal and Plant Health Inspection Service Plant Protection and Quarantine.

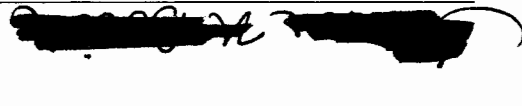
Conclusions

The 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

The respondent St. Johns Shipping Company, Inc., is assessed a civil penalty of one thousand dollars (\$1,000.00). The respondent shall send a certified check or money order for one thousand dollars (\$1,000.00), payable to the Treasurer of the United States, to United States Department of Agriculture, APHIS, Accounts Receivable, P.O. Box 3334, Minneapolis, Minnesota 55403, within thirty (30) 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 when served on the respondent.

Craig T. Galle, Esq.
Attorney for St. Johns Shipping Company, Inc., Respondent


Thomas N. Bolick
Attorney for Complainant


Issued this 3rd day of June, 2005
at Washington, D.C.

Administrative Law Judge