

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

2014 JUN 12 PM 2:37

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In re:) P.Q. Docket No. 05-0027
))
Iman A. Dahhan,))
))
 Respondent) Consent Decision
))

This proceeding was instituted under the Plant Protection Act (7 U.S.C. § 7701 et seq.)(Act), by a complaint filed by the Acting Administrator of the Animal and Plant Health Inspection Service alleging that the respondent violated the Acts and regulations promulgated under the Acts and regulation promulgated thereunder (7 C.F.R. § 319.56-2(b)). 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, 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. Iman A. Dahhan, hereinafter referred to as respondent, is an individual with a mailing address of 23505 Sharon Dr., North Olmsted, Ohio, 55070.
2. On or about August 3, 2001, the respondent imported into the United States approximately two (2) kilograms of fresh pistachio nuts with husk from Syria to Detroit, Michigan.

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, Iman Dahhan, is assessed a civil penalty of one hundred and fifty dollars (\$150.00). The respondent shall send a certified check or money order for one hundred and fifty dollars (\$150.00), 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: P.Q. Docket No. 05-0027.

This Order shall become effective when served on the respondent.



IMAN A. DAHHAN
Respondent

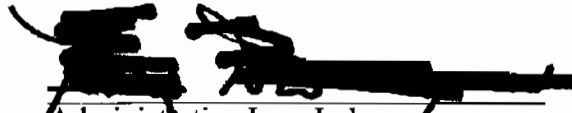


JAMES A. BOOTH
Attorney for Complainant

Please see attachment.

Issued this 12th day of June, 2006

at Washington, D.C.



Administrative Law Judge
PETER M. DAVENPORT

Attachment:

In Re: O.Q. Docket No. 05-0027

I just would like to make it very clear that the pistachio I had was the remaining of pistachio which I was eating on the plane during my trip from Syria back home to the United States. The pistachio was not intended to be used as an import, gift, or any other reason.

NOTE: I do not agree to any other charges in addition to the \$150

Sincerely,



Iman Dahhan

05/31/06

indicated in this letter.