

USDA
CA/CHC

APR 21 PM 3:29

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

FILED

In re:)	AWA Docket No. 07-0097
)	
Wanda Reed d/b/a Wanda's)	
Little Pets,)	
)	
)	Consent Decision
Respondent)	and Order

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent willfully violated the Act and the regulations issued pursuant to the Act (9 C.F.R. § 1.1 et seq.). 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).

The respondent admits the jurisdictional allegations in paragraph I of the complaint and 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 this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

(a) Wanda Reed, hereinafter referred to as respondent, is an individual doing business as Wanda's Little Pets, with a mailing address of 2454 Hwy 44, Wilcox, NE 68982.

(b) The respondent, at all times material hereto, was licensed and operating as a dealer as defined in the Act and the regulations.

Conclusions

The respondent has admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent, her 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, and in particular, shall cease and desist from:

(a) Failing to keep the premises clean and in good repair and free of accumulations of trash, junk, waste, and discarded matter, and to control weeds, grasses and bushes;

(b) Failing to provide for the regular and frequent collection, removal, and disposal of animal and food wastes, in a manner that minimizes contamination and disease risks;

(c) Failing to provide sufficient space for animals in primary enclosures;

(d) Failing to maintain primary enclosures for animals in a clean and sanitary condition;

(e) Failing to construct and maintain indoor and sheltered housing facilities for animals so that they are adequately ventilated;

(f) Failing to construct and maintain housing facilities for animals so that surfaces may be readily cleaned and sanitized or be replaced when necessary;

(g) Failing to utilize a sufficient number of trained employees to maintain the prescribed level of husbandry practices;

(h) Failing to maintain animals in primary enclosures in compatible groups;

(i) Failing to maintain records of the acquisition, disposition, description, and identification of animals, as required; and

(j) Failing to establish and maintain programs of disease control and prevention, euthanasia, and adequate veterinary care under the supervision and assistance of a doctor of veterinary medicine.

2. The respondent is assessed a civil penalty of \$27,000.00, all of which shall be held in abeyance provided that the respondent, after notice and opportunity for a hearing, is not found to have violated the Animal Welfare Act or the regulations and standards issued thereunder, or this consent agreement for a period of 3 years.

3. Respondent's license is revoked as of July 1, 2008 and she is permanently disqualified from obtaining a license thereafter under the Act and regulations. .

The provisions of this order shall become effective on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.

~~_____~~ 4-17-08

Wanda Reed
Respondent

~~_____~~

Brian Hill
Attorney for Complainant

Done at Washington, D.C.,
this 17 day of April, 2008

~~_____~~

Administrative Law Judge

I have read all 5 pages
~~_____~~