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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	
)	
Union Pacific Railroad Co.;)	
and)	P.Q. Docket No. 07-0126
R. W. Zebrowski, Inc.;)	
and)	
Bruni International, Inc.;)	
)	
Respondents.)	Consent Decision and Order

This proceeding was instituted under the Plant Protection Act (7 U.S.C. § 7701 et seq.), and regulations promulgated thereunder (7 C.F.R. § 319.8 et seq., 7 C.F.R. 352 et seq., and 7 C.F.R. 330 et seq.), by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service alleging that the respondent violated the Act and regulations promulgated thereunder. The complainant and the respondent Bruni International, Inc. have agreed that this proceeding against respondent Bruni International, Inc. should be terminated by entry of this Consent Decision, and have agreed to the following stipulations:

1. For the purpose of this Consent Decision only, respondent Bruni International, Inc. 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, admits to the Findings of Fact set forth below, and 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; and

(c) All rights to seek judicial review and otherwise challenge or contest the validity of this decision.

2. The respondent Bruni International, Inc. also stipulates and agrees that the United States Department of Agriculture is the “prevailing party” in this proceeding and waives 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.

3. The United States Department of Agriculture stipulates and agrees that this Consent Decision and Order, upon becoming effective, fully and finally resolves the obligation of Bruni International Inc. with respect to the violations alleged and described herein, and further fully and finally resolves the obligations of Bruni International Inc. with respect to other potential violations of a similar nature that were voluntarily disclosed to the United States Department of Agriculture, occurring in May and June 2002.

Findings of Fact

1. Bruni International, Inc., is a corporation doing business as a customs broker, freight forwarding and distribution services, whose mailing address is 8705 Killam Industrial Blvd., Laredo, Texas, 78045, or P.O. Box 2756, Laredo, Texas, 78044.

2. On or about June 13, 2002, Bruni International, Inc. entered into the United States at the port of Eagle Pass, Texas from Mexico, cotton linters without the proper permit

3. On or about June 13, 2002, Bruni International, Inc. failed to properly notify the



United States of the arrival and entry of a shipment of regulated cotton linters from Mexico.

4. On or about June 13, 2002, Bruni International, Inc. failed to provide for inspection of cotton linters from Mexico at Eagle Pass, Texas, the port of first arrival into the United States.

5. On or about June 15, 2002, Bruni International, Inc. entered into the United States at the port of Eagle Pass, Texas from Mexico, cotton linters without the proper permit.

6. On or about June 15, 2002, Bruni International, Inc. failed to properly notify the United States of the arrival and entry of a shipment of regulated cotton linters from Mexico.

7. On or about June 15, 2002 Bruni International, Inc. failed to provide for inspection of Mexican cotton linters from Mexico at Eagle Pass, Texas, the port of first arrival into the United States.

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

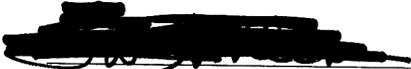
The respondent, Bruni International, Inc. is assessed a civil penalty of five thousand dollars (\$5,000.00). The respondent shall send a certified check or money order for five thousand dollars (\$5,000.00), payable to the Treasurer of the United States, to United States Department of Agriculture, APHIS, Field Servicing Office, Accounting Section, 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.

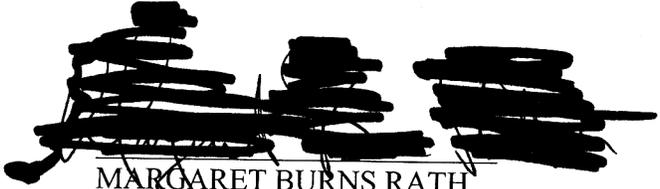


If any provision of this Order is declared to be invalid, such declaration shall not affect the validity of any other provision herein.

This Order shall become effective when served on the Respondent.


BRUNI INTERNATIONAL, INC.
Respondent


LAURA KLAUS
Attorney for Respondent


MARGARET BURNS RATH
Attorney for Complainant

Issued this 7 day of NOV, 2007

at Washington, D.C.


Jill S. Clifton
Administrative Law Judge