

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

10-0039
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In re:) P.Q. Docket No. 10-0039
)
)
McLaren Industries, Inc.)
)
Respondent.) Consent Decision

This proceeding was instituted under the Plant Protection Act (7 U.S.C. §§ 7701-7772)(Act), 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 under the Act (7 C.F.R. § 319.74-1 et seq.). 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. McLaren Industries, Inc., hereinafter referred to as respondent, is an entity with a mailing address of 605 Hawaii Avenue, Torrance, CA 90503.
2. Richardson J. Doyle is the chief executive of McLaren Industries, Inc.
3. On or about March 1, 2005, respondent imported solid wood packing material to the United States from China without treating it prior to departure and without the required certification.

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 is assessed a civil penalty of two thousand five hundred dollars (\$2,500.00). The respondent shall send a certified check or money order for two thousand five hundred dollars (\$2,500.00), payable to the Treasurer of the United States, to United States Department of Agriculture, APHIS, APHIS, P.O. Box 979043, St. Louis, Missouri 63197-9000, 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. 10-0039.

This Order shall become effective when served on the respondent.

[REDACTED]

LISA JABAILY
Attorney for Complainant

[REDACTED]

RICHARDSON J. DOYLE
Chief Executive, McLaren Industries, Inc.
for himself and for Respondent

Issued this 7th day of January ~~2010~~ ²⁰¹⁰
at Washington, D.C.

[REDACTED]

Administrative Law Judge