

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:) AWA Docket No. 10-0009
)
James R. Wise and Janet M.)
Wise, d/b/a Wise Acres Ranch,) Consent Decision
) and Order
)
Respondents.)

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 respondents willfully violated the Act and the regulations and standards 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 respondents admit the jurisdictional allegations in paragraph I of the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, 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

1. Respondent James R. Wise, is an individual whose mailing address is 2675 Riverside Drive South, Salem, OR 97306. Respondent Janet M. Wise is an individual whose mailing address is 2675 Riverside Drive South, Salem, OR 97306.

2. At all times material herein, the respondents were licensed and operating as an

exhibitor as defined in the Act and the regulations.

Conclusions

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


Order


1. Respondents, their agents and employees, successors and assigns, directly or through any corporate or other device, shall not violate the Act and the regulations and standards issued thereunder.


2. The respondents are jointly and severally assessed a civil penalty of \$2,500.00.

The provisions of this order shall become effective upon issuance.


Copies of this decision shall be served upon the parties.


James R. Wise


Janet M. Wise


Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 16th day of April, 2010


Administrative Law Judge