

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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| In re: |) | HPA Docket No. 17-0189 |
| |) | HPA Docket No. 17-0190 |
| TONY LOWE, an individual; BRANDYE |) | HPA Docket No. 17-0193 |
| CRAIG MILLS, an individual; |) | HPA Docket No. 17-0194 |
| WAYNE PUTMAN, an individual; and |) | |
| TIMOTHY LEE SMITH, an individual, |) | |
| |) | CONSENT DECISION AND |
| Respondents. |) | ORDER AS TO RESPONDENT |
| |) | BRANDYE CRAIG MILLS |

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on February 1, 2017, alleging that the respondents violated the Act.

Respondent Brandye Craig Mills admits the jurisdictional allegations in the complaint, specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, and waives oral hearing and further procedure. The parties consent and agree to the entry of this decision for the purpose of settling this proceeding as to respondent Brandye Craig Mills, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 2, 2018. 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).

Findings of Fact

1. Respondent Brandye Craig Mills is an individual residing in [REDACTED] and at all times mentioned herein was a “person” and an “exhibitor,” as those terms are defined in the regulations promulgated under the Act (9 C.F.R. Parts 11 and 12).

2. On or about August 25, 2016, respondent Brandye Craig Mills entered a horse (Ritz's Warrior) for showing in class 26A in a horse show in Shelbyville, Tennessee.

3. On or about August 27, 2016, respondent Brandye Craig Mills entered a horse (A Major Tsunami) for showing in class 82 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Brandye Craig Mills having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent Brandye Craig Mills is disqualified for one year, beginning September 1, 2019, and ending August 31, 2020, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Brandye Craig Mills is assessed a civil penalty of \$1,100, which shall be paid by May 31, 2019, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0190, and sent to:

USDA, APHIS, MISCELLANEOUS
P.O. Box 979043
St. Louis, Missouri 63197-9000

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¹“Participating” means engaging in any activity beyond that of a spectator in connection with a horse show, horse exhibition, or horse sale or auction, and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas, or in any area where spectators are not allowed, and financing the participation of others in equine events.

The provisions of this order shall become final and effective on February 15, 2019. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]

Brandye Craig Mills
Respondent

[Redacted]

Colleen A. Canoil
Attorney for Complainant

Done at Washington, D.C.,
this 6 day of Feb 2019

[Redacted]

Jill S. Clifton
Administrative Law Judge