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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AWA Docket No. 17-0105
)	17-0106
WILD WILDERNESS, INC.,)	
an Arkansas corporation; and FREDA)	
WILMOTH, an individual)	
)	CONSENT DECISION AND
Respondents.)	ORDER

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

Respondents admit the jurisdictional allegations in the complaint and specifically admit that the Secretary has jurisdiction in this matter, admit the remaining allegations as set forth herein as findings of fact and conclusions of law, waive oral hearing and further procedure, waive all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waive 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 Respondents in connection with this proceeding or any action against any USDA

employee in their individual capacity.

Respondents consent and agree, for the purpose of settling this proceeding, to the entry of this decision. Complainant agrees to the entry of this decision.

FINDINGS OF FACT

1. Respondent Wild Wilderness, Inc. (Wild Wilderness), is an Arkansas corporation whose registered agent is Freda Wilmoth, 20923 Safari Road, Gentry, Arkansas 72734. At all times mentioned in the complaint, Wild Wilderness was an exhibitor, as that term is defined in the Act and the Regulations, held AWA license 71-C-0151, and exhibited domestic, wild and exotic animals to the public at a drive-through zoo (Wild Wilderness Drive Through Safari) and at an adjacent walk-through zoo.

2. Respondent Freda Wilmoth is an individual whose business address is 20923 Safari Road, Gentry, Arkansas 72734. At all times mentioned in the complaint, Ms. Wilmoth was an exhibitor, or was an officer or agent of an exhibitor, Respondent Wild Wilderness, and was acting within the scope of her employment or office.

CONCLUSIONS OF LAW

Respondents 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. Respondents, their 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.

2. Animal Welfare Act license number 71-C-0151 is suspended for 60 days, beginning January 1, 2019, and continuing thereafter until Respondents have successfully passed APHIS inspections, demonstrating to APHIS that it is in full compliance with the Act and the Regulations and Standards. At the written request of Respondent Wild Wilderness, APHIS shall, at a time that is mutually agreeable to both parties, schedule a compliance inspection to occur upon the conclusion of the 60-day suspension period. Once Respondent Wild Wilderness demonstrates that it is in compliance with the Act and the Regulations and Standards, APHIS will file a motion for a supplemental order lifting the license suspension.

3. Respondents are jointly and severally assessed a civil penalty of \$75,000, to be paid by certified check or money order made payable to USDA APHIS and sent to USDA APHIS Miscellaneous, P.O. Box 979043, St. Louis, MO 63197-9000 no later than July 1, 2018.

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.

WILD WILDERNESS, INC.,
an Arkansas corporation; and FREDA
WILMOTH, an individual

By [Redacted]

Paul L. Knobbe
Attorney for Respondent

[Redacted]

Lauren E. Becker
Attorney for Complainant

Done at Washington, D.C.

this 4th day of June, 2018

[Redacted]

Acting Chief

ALJ on behalf of
Jill S. Clifton
Administrative Law Judge

[Redacted]

Acting Chief

ALJ on behalf of
Jill S. Clifton, ALJ