

ORIGINAL

USDA
OALJ/OHC

UNITED STATES DEPARTMENT OF AGRICULTURE

2011 JUL 25 PM 12: 24

BEFORE THE SECRETARY OF AGRICULTURE

RECEIVED

In re:)	A.Q. Docket No. 11-0158
)	
Lewis C. Hull,)	
)	
Respondent.)	Consent Decision

This proceeding was instituted under Animal Health Protection Act (Act) (7 U.S.C. § 8301 et seq.) and the regulations promulgated thereunder, 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 (9 C.F.R. §§ 78.1, 78.5 and 78.9). 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, admits 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. Lewis C. Hull, hereinafter referred to as Respondent, is an individual with a mailing address of Route 1 Box 164-A, El Reno, Oklahoma 73036.

2. On or about September 13, 2006, the Respondent aided, induced or caused to be moved, in interstate commerce, from El Reno, Oklahoma, to Portsmouth, Iowa, forty-two (42) head of brucellosis test-eligible cattle without a proper certificate of veterinary inspection.

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, Lewis C. Hull, is assessed a civil penalty of one thousand, eight hundred and seventy five dollars (\$1,875.00). The Respondent shall send a certified check or money order for one thousand, eight hundred and seventy five dollars (\$1,875.00), 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. , 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, A.Q. Docket No.11-0158.

This Order shall become effective when served on the Respondent.

[Redacted]

LEWIS C. HULL
Respondent

[Redacted]

MARGARET BURNS RATH
Attorney for Complainant

[Redacted]

GAYLON C. HAYES
Attorney for Respondent

Issued this 28 day of July, 2011

at Washington, D.C.

[Redacted]

for Administrative Law Judge
Janice K. Bullard