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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) A.Q. Docket No. 07-0039
)
Alfredo Valeriano Rodriguez,)
)
Respondent) Consent Decision

This proceeding was instituted under the Animal Health Protection Act (7 U.S.C. § 8301 et seq.) (“the 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 thereunder (9 C.F.R. § 93.103 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, the Respondent specifically admits that the Secretary of the United States Department of Agriculture has jurisdiction in this matter; however, he neither admits nor denies the remaining allegations in the complaint. Furthermore, the Respondent admits to the Findings of Fact set forth below.

The 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. Alfredo Valeriano Rodriguez, hereinafter referred to as the Respondent, has a mailing address of 432 Granite Drive, Raymore, Missouri 64083.
2. On or about May 25, 2003, the Respondent imported two parrots into the United States from Mexico without a permit and without a veterinary certificate.

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, Alfredo Valeriano Rodriguez, is assessed a civil penalty of five hundred dollars (\$500.00). The Respondent shall send a certified check or money order for one hundred dollars (\$100.00), payable to the Treasurer of the United States, to United States Department of Agriculture, APHIS, Accounts Receivable, P.O. Box 3334, Minneapolis, Minnesota 55403, 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. The Respondent shall pay the remaining four hundred dollars (\$400.00) in four installments of one hundred dollars (\$100.00) each month thereafter from the date of the Order.

This Order shall become effective when served on the Respondent.


ALFREDO VALERIANO RODRIGUEZ
Respondent


CORY S. SPILLER
Attorney for Complainant

Issued this 30th day of October, ~~2006~~ ²⁰⁰⁷ 
at Washington, D.C.


Administrative Law Judge