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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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In re:) AWA Docket No. 07-0187
)
Emory University,)
)
)
) Consent Decision
Respondent) and Order

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.) (Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent violated 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 provision of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondent admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, 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. Emory University, hereinafter referred to as the respondent, is an educational institution whose address is 1440 Clifton Road, NE, Atlanta, Georgia 30322.
2. The respondent, at all times material herein, controlled the operations and activities of the Yerkes National Primate Research Center, hereinafter referred to as Center, a school operated within the respondent's educational institution.

3. The respondent, at all times material hereto, was registered and operating as a research facility as defined in the Act and the regulations.

Conclusions

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

Order

1. Respondent, its agents and employees, successors and assigns, directly or through any corporate or other device, shall not violate the regulations and standards under the Act.

2. Respondent is assessed a civil penalty of \$15,000.00, which shall be paid by a certified check or money order made payable to the Treasurer of the United States.

The provisions of this order shall become effective on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.

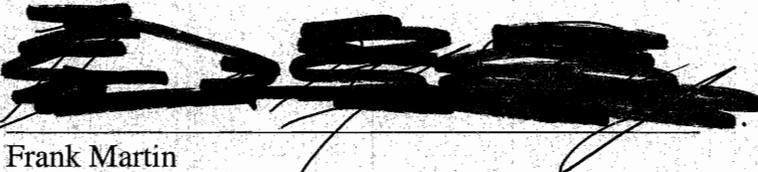
Emory University,
Respondent



Stuart Zola
Director, Yerkes National Primate Research Center
Emory University



Kristin West
Attorney for Respondent



Frank Martin
Attorney for Complainant

Done at Washington, D.C.
this 25 day of September, 2007



Jill S. Clifton

Administrative Law Judge