

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) AWA Docket No. 98-34
)
Heidi Berry Riggs and)
Bridgeport Nature)
Center, Inc.,)
) Consent Decision
Respondents) and Order

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents willfully violated the Act and 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 provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.130).

The respondents admit the jurisdictional allegations in paragraph I of the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, for the purpose of settling

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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

(a) Respondent Heidi Berry Riggs is an individual whose mailing address is Route 1, Box 192, Bridgeport, Texas 76426.

(b) Respondent Bridgeport Nature Center, Inc., is a corporation, and has the same mailing address.

(c) At all times material hereto, the respondents were licensed and operating as an exhibitor as defined in the Act and the regulations and the actions of respondent Bridgeport Nature Center, Inc., were directed, managed, and controlled by respondent Heidi Berry Riggs.

Conclusions

The respondents having admitted the jurisdictional facts 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 not violate the Act and the regulations and standards issued thereunder, and in particular, shall not:

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(a) Fail to utilize a sufficient number of adequately trained employees to maintain the prescribed level of husbandry practices;

(b) Fail to maintain sufficient distance and/or barriers between animals and general public during public exhibition;

(c) Fail to keep dangerous animals under direct control and supervision of a knowledgeable and experienced handler during public exhibition.

(d) Fail to provide animals kept outdoors with shelter from inclement weather;

(e) Fail to provide for the rapid elimination of excess water from housing facilities for animals;

(f) Fail to construct and maintain transport enclosures for animals so that they are adequately ventilated;

(g) Fail to construct and maintain transport enclosures for animals so that surfaces may be readily cleaned and sanitized or be replaced when necessary;

(h) Fail to mark transport enclosures with the proper "Live Animal" and directional arrows markings;

(i) Fail to construct transport enclosures for animals with projecting rims; and

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(j) Fail to establish and maintain programs of disease control and prevention, euthanasia, and adequate veterinary care under the supervision and assistance of a doctor of veterinary medicine.

2. Respondents are jointly and severally assessed a civil penalty of \$20,000.00, \$6,000 of which shall be paid by a certified check or money order made payable to the Treasurer of the United States. Respondents shall, within 60 days of the effective date of this order, expend no less than \$7,000 on training for all its personnel regarding animal care, husbandry, and handling of exotic cats, and expend no less than \$7,000 to develop and implement a continuing education program for its personnel in the areas of animal care, husbandry, and handling of exotic cats. The above expenditures shall be subject to prior and ongoing approval by APHIS.

3. Respondents shall not exhibit any exotic cats or other animals in photographic sessions with members of the public unless the animals are less than six months in age and less than seventy five pounds in weight.

4. Respondents shall not exhibit any exotic cats or other animals in photographic sessions with members of the public

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unless the animals are collared and on a leash no longer than 18 inches in length at all times.

5. Respondents shall not exhibit any exotic cats or other animals in photographic sessions with members of the public unless the general public is kept away from the exhibit by a barrier at least fifteen feet from the exhibit.

6. Respondents shall have emergency equipment (e.g., carbon dioxide fire extinguisher) available in order to repel any animal which is threatening a member of the public.

7. Respondents' license is suspended for 30 days beginning on September 19, 1998, and continuing thereafter until they demonstrate to the Animal and Plant Health Inspection Service that they are in full compliance with the Act, the regulations and standards issued thereunder, and this order, including payment of the civil penalty imposed herein. When respondents demonstrate to the Animal and Plant Health Inspection Service that they have satisfied this condition, a supplemental order will be issued in this proceeding upon the motion of the Animal and Plant Health Inspection Service, terminating the suspension.

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

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Copies of this decision shall be served upon the parties.

[Redacted]

Mildi Barry (Bigg)
Respondant, for herself
and for respondent
Bridgport Nature Center, Inc.

[Redacted]

Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 17th day of August, 1978

[Redacted Signature]
Administrative Law Judge

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