

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)	AWA Docket No.07-0144
)	
Karl Mogensen, d/b/a)	
Natural Bridge Zoo,)	
)	Consent Decision
Respondent)	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 respondent 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. § 1.138).

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. Karl Mogensen, hereinafter referred to as the respondent, is an individual doing business as Natural Bridge Zoo with a mailing address of P.O. Box 88, Rt 11 North, Natural Bridge, VA 24578.

2. The respondent, at all times material herein, was licensed and operating as an exhibitor 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.

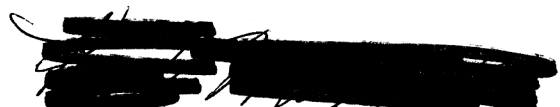
Order


1. Respondent, his 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:
 - (a) Fail to construct and maintain housing facilities for animals so that they are structurally sound and in good repair in order to protect the animals from injury, contain them securely, and restrict other animals from entering;
 - (b) Fail to store supplies of food so as to adequately protect them against contamination; and
 - (c) Fail to construct and maintain facilities for animals so that they are structurally sound, in good repair, and appropriate for the animals involved, including a suitable perimeter fence.
2. Respondent is assessed a civil penalty of \$10,000, which shall be paid by a certified check or money order **made payable to the Treasurer of the United States**.
3. Respondent's license is suspended beginning on January 1, 2008, up to and including January 30, 2008, and continuing thereafter until he demonstrates to the Animal and Plant Health Inspection Service (APHIS) that he is in full compliance with the Act, the

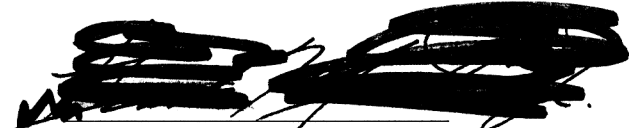
regulations and standards issued thereunder and this order, including payment of the civil penalty imposed herein. When the respondent demonstrates to APHIS that he has satisfied this condition, a supplemental order will be issued in this proceeding upon the motion of APHIS, terminating the suspension.

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.


Karl Mogensen
Respondent


H. David Natkin
Attorney for Respondent


Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 12 day of October, 2007


Administrative Law Judge
Jill S. Clifton