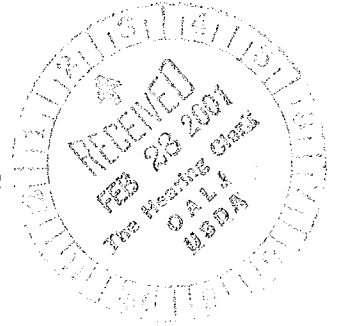


UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE



In re: ) AWA Docket No. 01-0026  
          ) )  
Continental Airlines, Inc., )  
          ) )  
Respondent ) Complaint

There is reason to believe that the respondent named herein has violated the regulations and standards (9 C.F.R. § 1.1 *et seq.*) issued pursuant to the Animal Welfare Act, as amended (7 U.S.C. § 2131 *et seq.*), hereinafter referred to as the Act, and, therefore, the Administrator of the Animal and Plant Health Inspection Service (APHIS) issues this complaint alleging the following:

I

A. Continental Airlines, Inc., hereinafter referred to as the respondent, is a corporation and the address of its principal place of business is 2929 Allen Parkway, Suite 1562, Houston, Texas 77019.

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

II

On May 13 and 14, 1999, the respondent transported two dogs from Seattle, Washington, to Newark, New Jersey. During the course of transportation the dogs were subjected to extreme cold,

in violation of section 2.100(b) of the regulations and section 3.15(d) of the standards (9 C.F.R. §§ 2.100(b) and 3.15(d)).

WHEREFORE, it is hereby ordered that, for the purpose of determining whether the respondent has in fact willfully violated the Act and the regulations and standards issued under the Act, this complaint shall be served upon the respondent. The respondent shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 *et seq.* (1993)). Failure to file an answer shall constitute an admission of all the material allegations of this complaint.

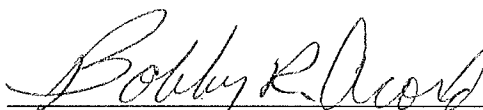
The Animal and Plant Health Inspection Service requests:

1. That, unless the respondent fails to file an answer within the time allowed therefor, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in conformity with the Rules of Practice governing proceedings under the Act; and
2. That such order or orders be issued as are authorized by the Act and warranted under the circumstances, including an order:

(a) Requiring the respondent to cease and desist from violating the Act and the regulations and standards issued thereunder; and

(b) Assessing civil penalties against the respondent in accordance with section 19 of the Act (7 U.S.C. § 2149).

Done at Washington, D.C.  
this 13 day of February, 2001



\_\_\_\_\_  
Administrator  
Animal and Plant Health  
Inspection Service

ROBERT A. ERTMAN  
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