

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWA Docket No. 01-0042
)
Northwest Airlines, Inc.,)
) 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

A. Northwest Airlines, Inc., hereinafter referred to as the respondent, is a corporation and the address of its principal place of business is Department A- 5300, 5101 Northwest Drive, St. Paul, Minnesota 55111-3034.

B. The respondent, at all times material hereto, was registered and operating as a

carrier 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 cease and desist from violating the Act and the regulations and standards issued thereunder, and in particular, shall cease and desist from:

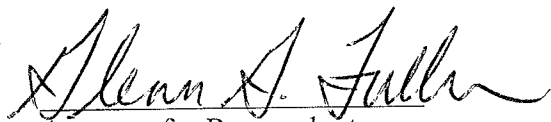
(a) Accepting live animals for shipment in primary enclosures that do not conform to the requirements of 9 C.F.R. § 3.137; and

(b) Accepting live animals without written instruction concerning food and water requirements of the animal.

2. Respondent is assessed a civil penalty of \$1,000, which shall be paid by a certified check or money order made payable to the Treasurer of United States.

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

Copies of this decision shall be served upon the parties.



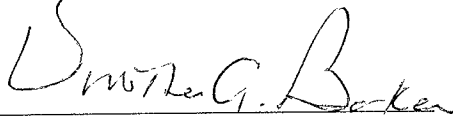
Attorney for Respondent
Northwest Airlines, Inc.



BRIAN T. HILL
Attorney for Complainant

Done at Washington, D.C.

this 30 day of September, 2002



Administrative Law Judge