

UNITED STATES DEPARTMENT OF AGRICULTURE

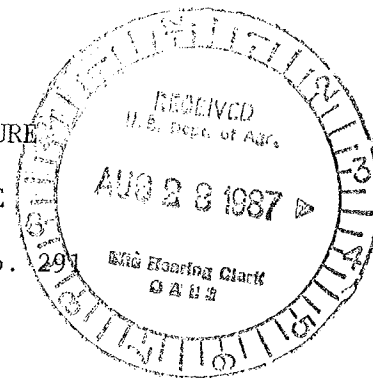
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Aspen Airways, Inc.,

Respondent

) AWA Docket No. 297
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)
)
)



Consent Decision

This proceeding was instituted by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, in accordance with the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes (7 C.F.R. § 1.130-1.151). The complaint alleged that respondent Aspen Airways, Inc. had violated the Animal Welfare Act, (7 U.S.C. § 2131 et seq.) and the regulations and standards issued thereunder (9 C.F.R. § 1.1 et seq.). This decision is entered pursuant to the consent decision provisions of the Rules of Practice (7 C.F.R. § 1.138).

The respondent specifically admits the jurisdictional allegations of the complaint, but neither admits nor denies the remaining allegations. The respondent waives the right to a hearing and any further procedures. The parties consent to the issuance of this decision for the purpose of settling this matter.

Findings of Fact

1. Respondent, Aspen Airways, Inc., is a Colorado corporation whose mailing address is Hangar #5 - Stapleton International Airport, Denver, Colorado 80207.

2. At all material times, respondent was registered as a carrier under the Act (7 U.S.C. § 2132).

Conclusions

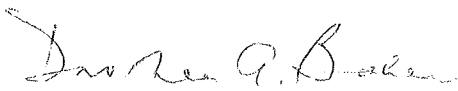
Inasmuch as the respondent has admitted the jurisdictional allegations of the complaint and the parties have agreed to the provisions of the following order, such order will be issued.

Order


Respondent is assessed a civil penalty of \$250.00, which shall be paid by certified check or money order made to the order of the Treasurer of the United States and which shall be forwarded to *Robert Ertman* Office of the General Counsel, United States Department of Agriculture, Room 2014, South Building, Washington, D. C. 20250.

This decision and order shall have the same force and effect as a decision entered after a full hearing and shall be effective upon service on respondent.


Done at Washington, D. C.
this 27th day of August, 1987



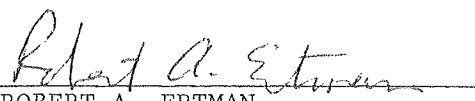
Administrative Law Judge



ASPEN AIRWAYS, INC.
Respondent



KEVIN F. MECKUS
Attorney for Complainant



ROBERT A. ERTMAN
Attorney for Complainant