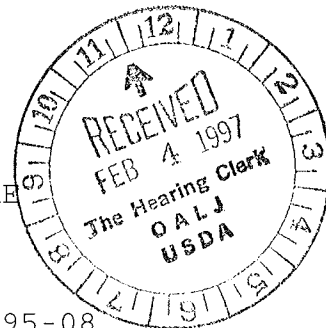


UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) AWA Docket No. 95-08
)
United Airlines, Inc.,)
)
Respondent) Consent Decision
) 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 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) United Airlines, Inc., hereinafter referred to as the respondent, is a Delaware corporation with its principal offices located at 1200 East Algonquin Road, Elk Grove, Illinois 60007.

(b) The respondent, at all times material herein, was a registered carrier under the Act.

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

a. failing to mark primary enclosures of animals with the words "Live Animal" nor with arrows or other markings indicating the correct upright position of the container;

b. failing to affix feed and water instructions to the outside of primary enclosures;

c. failing to handle animals as expeditiously and carefully as possible in order to avoid unnecessary trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort;

d. failing to insure that primary enclosures used to transport animals contain absorbent litter and are properly cleaned and sanitized; and

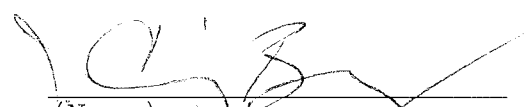
e. failing to provide animals which are being transported with food and water as required.

2. Respondent is assessed a civil penalty of \$3,000.00 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 respondent.

Copies of this decision shall be served upon the parties.

United Airlines, Inc.
Respondent, by

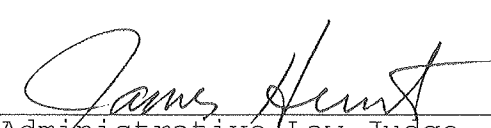


(Name) J. Frank Rogers
(Title) Senior Counselor



Denise Y. Hansberry
Attorney for Complainant

Done at Washington, D.C.
this 4th day of February, 1997



Administrative Law Judge