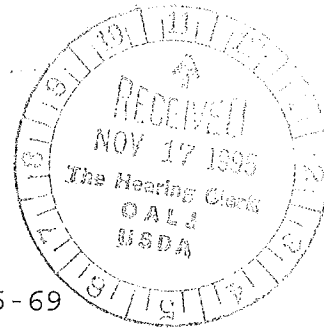


UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) AWA Docket No. 95-69
)
Continental 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) Continental Airlines, Inc., hereinafter referred to as the respondent, is a corporation with offices located at P.O. Box 4607, AGC 1040, Houston, Texas 77210.

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

Date Distributed: 11/17/95
Legal Technician: Donya Fisher

Conclusions

The respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

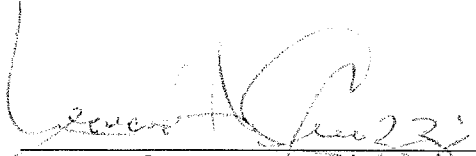
Order

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.

2. Respondent is assessed a civil penalty of \$4,000, which shall be paid by a certified check or money order made payable to "TREASURER OF THE UNITED STATES." Said check or money order shall include the docket number of this proceeding: AWA 95-69 and be mailed to:

USDA
APHIS Field Servicing Office
P.O. Box 3334
Minneapolis, Minnesota 55403

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.

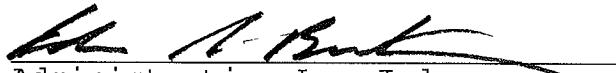


Leonard A. Ceruzzi
Attorney for Respondent
Continental Airlines, Inc.



Jane H. Settle
Attorney for Complainant
USDA

Done at Washington, D.C.
this 17 day of November, 1995


Administrative Law Judge