

Investigative and Enforcement Services

USDA, APHIS, IES
4700 River Road, Unit 85
Riverdale, MD 20737
Phone: (301) 734-8684
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Settlement Agreement

RESPONDENT:

Delta Air Lines, Inc.,
1020 Delta Boulevard
Attn: Lee Waller, Corporate Security Dept.
Atlanta, GA 30354

CASE NUMBER GA08098-AC et al
DUE ON OR BEFORE August 30, 2010
CONTACT Vera Bennett
PHONE (301) 734-8406

DATE	CITATION	DESCRIPTION
		SEE ATTACHMENT

PENALTY \$ 36,563.00

TERMS

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

Signature of Respondent:

Jon-Peter Kelly

Date:

8/30/2010

PAYMENT RECORD - FOR IES USE ONLY

Payment Type	Date	Amount	Signature of IES Representative

340952 SEP 03 2010

USDA IMPLS
T04 Settlement Agreement
Revised 11/15/05

2.131(a)

Handling.

Delta Airlines shipped a dog from Sacramento, CA to Atlanta, GA DL1460. The dog was described a lab mix breed. The dog died before reaching its final destination. Delta failed to shelter the dog from extreme heat. *AWB #006-4107-9570*

July 12, 2008 (GA09008-AC)

2.131(b)(1)

Handling.

Delta Airlines shipped a dog from Columbia, SC to Ft. Worth, TX on flight #4907. The animal certificate presented was described as a "Southern White." The temperatures in Columbia, S.C., Peachtree, GA, and Forth Worth, TX were more than 90 degrees. The dog was found dead inside of the primary enclosure on the ramp at Hartsfield Jackson Airport in Atlanta, GA. The necropsy report stated that the death resulted in cyanosis and collapse. *#AWB 006-3559-4565, Animal Certificate #A102163*

February 15, 2009 (MD09033-AC)

3.14(a)(1)

Primary enclosures used to transport live dogs and cats.

3.19(b)

Handling.

Two domestic cats were being transported by Delta from Baltimore (BWI). The cats were destined for Anchorage, AK (ANC) via Salt Lake City, UT (SLC). They were presented in two separate kennels (one male and one female). One cat escaped from its kennel and could not be located. *AWB #006-3737-9624*

June 11, 2007 (NM07020-AC)

2.131(b)(1)

Handling.

2.131(e)

Handling.

Delta failed to observe and maintain 31 live rabbits in accordance with regulatory requirements while in commerce from BWI Airport to Albuquerque, NM. Fourteen of the thirty-one were found dead upon arrival. *AWB #006-2295-8423, Ear Tag Numbers 2451-2482*