

UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE

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In re:) Docket No. **12-0538**
)
James G. Woudenberg,)
doing business as)
R & R Research,)
)
Respondent) Complaint

There is reason to believe that the respondent named herein willfully violated the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.), hereinafter referred to as the Act, and the regulations and standards (9 C.F.R. § 1.1 et seq.) issued pursuant to the Act, and, therefore, the Administrator of the Animal and Plant Health Inspection Service ("APHIS") issues this complaint alleging the following:

I

A. Respondent James G. Woudenberg is an individual with a mailing address of 19256 W. Kendaville Road, Howard City, Michigan 49329. The respondent operates under the business name of R & R Research.

B. At all times material herein, the respondent was operating as a dealer as defined in the Act and the regulations. The respondent is a Class B Dealer with license number 34-B-0001. The respondent received a copy of the regulations and the standards issued pursuant to the Act and agreed in writing to comply with them.

II

A. On or about April 18, 2008, the respondent, a Class B dealer obtained at least one dog from a source that the regulations do not permit the respondent to utilize as a source of dogs in willful violation of 9 C.F.R. § 2.132(a).

B. On or about June 3, 2008, the respondent, a Class B dealer obtained at least one dog from a source that the regulations do not permit the respondent to utilize as a source of dogs in willful violation of 9 C.F.R. § 2.132(a).

C. On or about June 10, 2008, the respondent, a Class B dealer obtained at least one dog from a source that the regulations do not permit the respondent to utilize as a source of dogs in willful violation of 9 C.F.R. § 2.132(a).

D. On or about August 28, 2008, the respondent, a Class B dealer obtained at least one cat from a source that the regulations do not permit the respondent to utilize as a source of cats in willful violation of 9 C.F.R. § 2.132(a).

E. On or about November 4, 2008, the respondent, a Class B dealer obtained at least one dog from a source that the regulations do not permit the respondent to utilize as a source of dogs in willful violation of 9 C.F.R. § 2.132(a).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondent has in fact willfully violated

the Act and the regulations issued under the Act, this complaint shall be served upon the respondent. The respondent shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure to file an answer shall constitute an admission of all the material allegations of this complaint.

The Animal and Plant Health Inspection Service requests:

1. That unless the respondent fails to file an answer within the time allowed therefor, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in conformity with the Rules of Practice governing proceedings under the Act; and

2. That such order or orders be issued as are authorized by the Act and warranted under the circumstances, including an order:

(a) Requiring the respondent to cease and desist from violating the Act and the regulations and standards issued thereunder;

(b) Assessing civil penalties against the respondent in accordance with section 19 of the Act (7 U.S.C. § 2149); and

(c) Revoking the respondent's license, suspending the respondent's license or disqualifying the respondent from obtaining a license under the Act and regulations for a specified period.

Done at Washington, D.C.
this 18th day of July, 2012

Acting [REDACTED]
Administrator
Animal and Plant Health
Inspection Service

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