

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) AWA Docket No. 05-0016
)
Octagon Sequence of Eight, Inc.,)
a Florida corporation, d/b/a)
Octagon Wildlife Sanctuary and)
Octagon Animal Showcase;)
Lancelot Kollman Ramos, an)
individual; and Manuel Ramos,)
an individual,)
)
Respondents) **Decision and Order as to**
Lancelot Kollman Ramos

PROCEDURAL HISTORY

Kevin Shea, Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture [hereinafter the Administrator], instituted this disciplinary administrative proceeding by filing a Complaint on April 29, 2005. The Administrator instituted the proceeding under the Animal Welfare Act, as amended (7 U.S.C. §§ 2131-2159) [hereinafter the Animal Welfare Act]; the regulations and standards issued under the Animal Welfare Act (9 C.F.R. §§ 1.1-3.142) [hereinafter the Regulations and Standards]; and the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes (7 C.F.R. §§ 1.130-.151) [hereinafter the Rules of Practice].

The Administrator alleges Lancelot Kollman Ramos willfully violated the Animal Welfare Act and the Regulations and Standards on or about September 13, 2000, and December 13, 2000, and between May 10, 2001, and April 29, 2005 (Compl. ¶¶ 8-10, 12-16). The Hearing Clerk served Lancelot Kollman Ramos with the Complaint, the Rules of Practice, and a service letter on July 5, 2005.¹ On July 22, 2005, Lancelot Kollman Ramos filed a response to the Complaint in which he requested oral hearing, but failed to deny or otherwise respond to any of the allegations of the Complaint.

On April 12, 2007, in accordance with section 1.139 of the Rules of Practice (7 C.F.R. § 1.139), the Administrator filed a Motion for Adoption of Proposed Decision and Order as to Lancelot Ramos by Reason of Admission of Facts [hereinafter Motion for Default Decision] and a Proposed Decision and Order as to Lancelot Kollman Ramos by Reason of Admission of Facts [hereinafter Proposed Default Decision]. The Hearing Clerk served Lancelot Kollman Ramos with the Administrator's Motion for Default Decision, the Administrator's Proposed Default Decision, and a service letter on April 18, 2007.² Lancelot Kollman Ramos failed to file objections to the Administrator's Motion for Default Decision and the Administrator's Proposed Default Decision by May 8, 2007,

¹United States Postal Service Track & Confirm for Receipt Number 7003 2260 0005 5721 4844.

²United States Postal Service Domestic Return Receipt for Article Number 7004 1160 0004 4086 1738.

within 20 days after service, as required by section 1.139 of the Rules of Practice (7 C.F.R. § 1.139).

On May 9, 2007, Administrative Law Judge Peter M. Davenport [hereinafter the ALJ] issued a Default Decision and Order as to Lancelot Kollman Ramos, a/k/a Lancelot Ramos Kollman [hereinafter Initial Decision as to Lancelot Kollman Ramos]:

(1) concluding Lancelot Kollman Ramos willfully violated the Animal Welfare Act and the Regulations and Standards; (2) ordering Lancelot Kollman Ramos to cease and desist from violating the Animal Welfare Act and the Regulations and Standards; (3) assessing Lancelot Kollman Ramos a \$43,500 civil penalty; and (4) revoking Lancelot Kollman Ramos' Animal Welfare Act license (Initial Decision as to Lancelot Kollman Ramos at 5-6). On May 11, 2007, Lancelot Kollman Ramos filed a late-filed objection to the Administrator's Motion for Default Decision.

On June 6, 2007, Lancelot Kollman Ramos filed a request to appeal the ALJ's Initial Decision as to Lancelot Kollman Ramos. I construed Lancelot Kollman Ramos' request to appeal as a request for an extension of time within which to appeal and concluded Lancelot Kollman Ramos' letter dated June 26, 2007, and filed July 2, 2007, constitutes a timely-filed appeal to the Judicial Officer.³ On July 23, 2007, the Administrator filed a response to Lancelot Kollman Ramos' appeal petition. On July 30, 2007, Lancelot Kollman Ramos filed a Motion to Set Aside Default Decision and Order

³Informal Order Regarding Lancelot Kollman Ramos' Request to File Appeal Petition and Request for the Rules of Practice, filed July 9, 2007.

as to Lancelot Kollman Ramos, a/k/a Lancelot Ramos Kollman [hereinafter Motion to Set Aside Default Decision]. On August 2, 2007, the Administrator filed a response to the Motion to Set Aside Default Decision. On August 2, 2007, the Hearing Clerk transmitted the record to the Judicial Officer for consideration and decision. Based upon a careful review of the record, I affirm the ALJ's Initial Decision as to Lancelot Kollman Ramos.

DECISION

Statement of the Case

Lancelot Kollman Ramos failed to file an answer denying or otherwise responding to the allegations of the Complaint. Section 1.136(c) of the Rules of Practice (7 C.F.R. § 1.136(c)) provides the failure to deny or otherwise respond to an allegation of the complaint shall be deemed, for purposes of the proceeding, an admission of the allegation. Further, pursuant to section 1.139 of the Rules of Practice (7 C.F.R. § 1.139), the admission by the answer of all the material allegations of fact contained in the complaint, constitutes a waiver of hearing. Accordingly, except as discussed in this Decision and Order as to Lancelot Kollman Ramos, *infra*, the material allegations of the Complaint that relate to Lancelot Kollman Ramos are adopted as findings of fact. This Decision and Order as to Lancelot Kollman Ramos is issued pursuant to section 1.139 of the Rules of Practice (7 C.F.R. § 1.139).

Findings of Fact

1. Lancelot Kollman Ramos is an individual whose address is 12661 Andrew Road, Post Office Box 221, Balm, Florida 33503.

2. At all times material to this proceeding, Lancelot Kollman Ramos operated as a *dealer*, as that term is defined in the Animal Welfare Act and the Regulations and Standards. Lancelot Kollman Ramos is an Animal Welfare Act licensee and currently holds Animal Welfare Act license number 58-C-0816.

3. Lancelot Kollman Ramos has a small business. The gravity of his violations of the Animal Welfare Act and the Regulations and Standards is great. Lancelot Kollman Ramos knowingly operated as a dealer without a valid Animal Welfare Act license. Lancelot Kollman Ramos caused injuries to two lions that resulted in the death of one of the lions and lied to investigators about his actions. Lancelot Kollman Ramos has a history of previous violations of the Animal Welfare Act and the Regulations and Standards. Lancelot Kollman Ramos has been a respondent in one previous Animal Welfare Act enforcement case.⁴

4. On or about September 13, 2000, Lancelot Kollman Ramos operated as a dealer by delivering for transportation, or transporting, two lions for exhibition, without a valid Animal Welfare Act license.

⁴*In re Lancelot Kollman* (Consent Decision), 60 Agric. Dec. 291 (2001).

5. On or about September 13, 2000, Lancelot Kollman Ramos violated the Regulations and Standards governing the provision of veterinary care to animals:
- a. Lancelot Kollman Ramos failed to have an attending veterinarian provide adequate veterinary care to two juvenile lions;
 - b. Lancelot Kollman Ramos failed to establish and maintain adequate programs of veterinary care that include the availability of appropriate facilities, personnel, equipment, and services;
 - c. Lancelot Kollman Ramos failed to establish and maintain adequate programs of veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries;
 - d. Lancelot Kollman Ramos failed to establish and maintain adequate programs of veterinary care that include daily observation of all animals to assess their health and well-being and a mechanism of direct and frequent communication so that timely and accurate information on problems of animal health and well-being is conveyed to the attending veterinarian; and
 - e. Lancelot Kollman Ramos failed to establish and maintain adequate programs of veterinary care that include adequate guidance to personnel involved in the care and use of animals.

6. On or about December 13, 2000, Lancelot Kollman Ramos failed to handle two juvenile lions as carefully and expeditiously as possible in a manner that does not cause trauma.

7. On or about December 13, 2000, Lancelot Kollman Ramos failed to handle two juvenile lions as carefully and expeditiously as possible in a manner that does not cause behavioral stress.

8. On or about December 13, 2000, Lancelot Kollman Ramos failed to handle two juvenile lions as carefully and expeditiously as possible in a manner that does not cause physical harm.

9. On or about December 13, 2000, Lancelot Kollman Ramos failed to handle two juvenile lions as carefully and expeditiously as possible in a manner that does not cause unnecessary discomfort.

10. On or about December 13, 2000, Lancelot Kollman Ramos, and/or his agents, used physical abuse to train, work, or otherwise handle two juvenile lions.

Lancelot Kollman Ramos' Appeal Petition

Lancelot Kollman Ramos raises three issues in his letter, dated June 26, 2007, and filed July 2, 2007 [hereinafter Appeal Petition]. First, Lancelot Kollman Ramos references an Animal Welfare Act administrative proceeding against Manuel Ramos (Lancelot Kollman Ramos' father) and himself in 2000. Lancelot Kollman Ramos indicates, since 2000, he has not worked for his father and states “[t]hings have changed

since I worked for my father[.] [H]e had his way of doing things, but I am proud to say that with my hard work things have changed for the better.” (Appeal Pet. at first and third unnumbered pages.)

Lancelot Kollman Ramos is required to be in compliance with the Animal Welfare Act and the Regulations and Standards at all times. While Lancelot Kollman Ramos’ hard work to change things for the better is commendable, Lancelot Kollman Ramos’ hard work does not eliminate the fact that the violations occurred.⁵ Therefore, even if I were to find that, subsequent to Lancelot Kollman Ramos’ September 13, 2000, and December 13, 2000, violations of the Regulations and Standards, Lancelot Kollman Ramos worked hard to change things for the better, I would not reverse the ALJ’s Initial Decision as to Lancelot Kollman Ramos.

Second, Lancelot Kollman Ramos contends, without an Animal Welfare Act license, he will not be able to pursue his chosen occupation and he and his family will suffer (Appeal Pet. at first through fourth unnumbered pages).

Revocation of Lancelot Kollman Ramos’ Animal Welfare Act license is warranted in law and justified in fact. Lancelot Kollman Ramos’ inability to pursue his chosen occupation without an Animal Welfare Act license is not a basis for reversing the ALJ’s

⁵*In re Jewel Bond* (Order Denying Pet. to Reconsider), ___ Agric. Dec. ___ (July 6, 2006), *appeal docketed*, No. 06-3242 (8th Cir. Sept. 5, 2006); *In re Eric John Drogosch*, 63 Agric. Dec. 623, 643 (2004); *In re Reginald Dwight Parr*, 59 Agric. Dec. 601, 644 (2000), *aff’d per curiam*, 273 F.3d 1095 (5th Cir. 2001) (Table); *In re Susan DeFrancesco*, 59 Agric. Dec. 97, 112 n.12 (2000).

revocation of Lancelot Kollman Ramos' Animal Welfare Act license. The Secretary of Agriculture is not compelled to allow individuals to retain Animal Welfare Act licenses merely because they desire to pursue an occupation for which an Animal Welfare Act license is necessary.⁶ Moreover, the hardship revocation of Lancelot Kollman Ramos' Animal Welfare Act license may cause Lancelot Kollman Ramos and his family is not a basis for reversing the ALJ's revocation of Lancelot Kollman Ramos' Animal Welfare Act license. I have no reason to disbelieve Lancelot Kollman Ramos' assertions regarding the hardship revocation of his Animal Welfare Act license may cause, and I empathize with Lancelot Kollman Ramos. Nonetheless, collateral effects of revocation of an Animal Welfare Act license on a respondent or a respondent's family are not relevant to the revocation of an Animal Welfare Act license held by an individual determined to have violated the Animal Welfare Act or the Regulations and Standards.⁷

Third, Lancelot Kollman Ramos asserts he is an animal lover (Appeal Pet. at second unnumbered page).

The Animal Welfare Act does not provide that the love of animals is a defense to violations of the Animal Welfare Act or the Regulations and Standards. Therefore, even

⁶*Nebbia v. People of State of New York*, 291 U.S. 502, 527-28 (1934) (stating the Constitution does not guarantee an unrestricted privilege to engage in business or to conduct a business as one pleases); *Hawkins v. Agricultural Mktg. Serv.*, 10 F.3d 1125, 1133 (5th Cir. 1993) (same); *Zwick v. Freeman*, 373 F.2d 110, 118 (2d Cir.) (same), *cert. denied*, 389 U.S. 835 (1967).

⁷*In re Michael A. Huchital, Ph.D.*, 58 Agric. Dec. 763, 816 (1999).

if I were to find that Lancelot Kollman Ramos is an “animal lover,” such a finding would not operate as a defense to his violations of the Animal Welfare Act or the Regulations and Standards. I find Lancelot Kollman Ramos’ love of animals irrelevant.

Lancelot Kollman Ramos’ Motion to Set Aside Default Decision

On July 2, 2007, Lancelot Kollman Ramos filed a timely Appeal Petition.⁸ On July 30, 2007, Lancelot Kollman Ramos filed a Motion to Set Aside Default Decision. After reviewing Lancelot Kollman Ramos’ July 30, 2007, filing, I find the filing is an appeal petition. Section 1.145(a) of the Rules of Practice provides that a party may only file a single appeal petition, as follows:

§ 1.145 Appeal to Judicial Officer.

(a) *Filing of petition.* Within 30 days after receiving service of the Judge’s decision, if the decision is a written decision, . . . a party who disagrees with the decision, any part of the decision, or any ruling by the Judge or who alleges any deprivation of rights, may appeal the decision to the Judicial Officer by filing *an appeal petition* with the Hearing Clerk.

7 C.F.R. § 1.145(a) (emphasis added).⁹ Lancelot Kollman Ramos did not request the opportunity to supplement or amend his July 2, 2007, Appeal Petition. Moreover, Lancelot Kollman Ramos filed his second appeal petition 28 days after the expiration of

⁸See the Informal Order Regarding Lancelot Kollman Ramos’ Request to File Appeal Petition and Request for the Rules of Practice filed July 9, 2007, in which I found that Lancelot Kollman Ramos’ July 2, 2007, filing constitutes a timely-filed appeal petition.

⁹See also *In re Karl Mitchell*, 60 Agric. Dec. 91, 94 n.5 (2001) (stating the Rules of Practice do not provide that a party may file multiple appeal petitions), *aff’d*, 42 F. App’x 991 (9th Cir. 2002).

the time for filing his appeal petition. Therefore, I strike Lancelot Kollman Ramos' supernumerary, late-filed appeal petition from the record, and I do not address the issues raised in Lancelot Kollman Ramos' second appeal petition in this Decision and Order as to Lancelot Kollman Ramos.

Lancelot Kollman Ramos' Violation of a Cease and Desist Order

The Administrator alleges, between May 10, 2001, and April 29, 2005, Lancelot Kollman Ramos knowingly failed to obey the Secretary of Agriculture's cease and desist order issued in *In re Lancelot Kollman* (Consent Decision), 60 Agric. Dec. 291 (2001) (Compl. ¶ 8). Lancelot Kollman Ramos is deemed, by his failure to deny or otherwise respond to the allegations of the Complaint, to have admitted violating the cease and desist order issued in *In re Lancelot Kollman* (Consent Decision), 60 Agric. Dec. 291 (2001). However, the Administrator, without explanation, failed to include this violation of the Secretary of Agriculture's cease and desist order in the Proposed Default Decision and the ALJ, without explanation, failed to include this violation of the Secretary of Agriculture's cease and desist order in the Initial Decision as to Lancelot Kollman Ramos. Under these circumstances, I decline to conclude that Lancelot Kollman Ramos knowingly failed to obey the Secretary of Agriculture's cease and desist order issued in *In re Lancelot Kollman* (Consent Decision), 60 Agric. Dec. 291 (2001).

Sanctions

The Animal Welfare Act requires, when considering the amount of a civil penalty, the Secretary of Agriculture to give due consideration to four factors: (1) the size of the business of the person involved in the violations; (2) the gravity of the violations; (3) the violator's good faith; and (4) the violator's history of previous violations.¹⁰

Lancelot Kollman Ramos operates a small business. The gravity of Lancelot Kollman Ramos' violations is great. Lancelot Kollman Ramos operated as a dealer without an Animal Welfare Act license and Lancelot Kollman Ramos caused injuries to two lions that resulted in the death of one of the lions. Lancelot Kollman Ramos has been a respondent in one previous Animal Welfare Act enforcement case establishing a "history of previous violations" for the purposes of section 19(b) of the Animal Welfare Act (7 U.S.C. § 2149(b)) and Lancelot Kollman Ramos' lack of good faith.

The United States Department of Agriculture's current sanction policy is set forth in *In re S.S. Farms Linn County, Inc.* (Decision as to James Joseph Hickey and Shannon Hansen), 50 Agric. Dec. 476, 497 (1991), *aff'd*, 991 F.2d 803, 1993 WL 128889 (9th Cir. 1993) (not to be cited as precedent under 9th Circuit Rule 36-3):

[T]he sanction in each case will be determined by examining the nature of the violations in relation to the remedial purposes of the regulatory statute involved, along with all relevant circumstances, always giving appropriate weight to the recommendations of the administrative officials charged with the responsibility for achieving the congressional purpose.

¹⁰7 U.S.C. § 2149(b).

The recommendations of administrative officials charged with the responsibility for achieving the congressional purpose of the regulatory statute are highly relevant to any sanction to be imposed and are entitled to great weight in view of the experience gained by administrative officials during their day-to-day supervision of the regulated industry. However, the recommendations of administrative officials as to the sanction are not controlling, and, in appropriate circumstances, the sanction imposed may be considerably less, or different, than that recommended by administrative officials.¹¹

The Administrator seeks assessment of a \$43,500 civil penalty against Lancelot Kollman Ramos, revocation of Lancelot Kollman Ramos' Animal Welfare Act license, and a cease and desist order.¹² I find Lancelot Kollman Ramos is deemed to have admitted five violations of the Regulations and Standards and Lancelot Kollman Ramos could be assessed a maximum civil penalty of \$2,750 for each of his five violations of the Regulations and Standards.¹³ After examining all the relevant circumstances, in light of

¹¹*In re Jerome Schmidt*, ___ Agric. Dec. ___, slip op. at 56 (Mar. 26, 2007); *In re Alliance Airlines*, 64 Agric. Dec. 1595, 1608 (2005); *In re Mary Jean Williams* (Decision as to Deborah Ann Milette), 64 Agric. Dec. 364, 390 (2005); *In re Geo. A. Heimos Produce Co.*, 62 Agric. Dec. 763, 787 (2003), *appeal dismissed*, No. 03-4008 (8th Cir. Aug. 31, 2004); *In re Excel Corp.*, 62 Agric. Dec. 196, 234 (2003), *enforced as modified*, 397 F.3d 1285 (10th Cir. 2005); *In re Steven Bourk* (Decision as to Steven Bourk and Carmella Bourk), 61 Agric. Dec. 25, 49 (2002).

¹²The Administrator's Motion for Default Decision at 5.

¹³Section 19(b) of the Animal Welfare Act (7 U.S.C. § 2149(b)) provides that the Secretary of Agriculture may assess a civil penalty of not more than \$2,500 for each violation of the Animal Welfare Act and the Regulations and Standards. Pursuant to the
(continued...)

the United States Department of Agriculture's sanction policy, and taking into account the requirements of section 19(b) of the Animal Welfare Act (7 U.S.C. § 2149(b)), the remedial purposes of the Animal Welfare Act, and the recommendations of the administrative officials, I conclude the revocation of Lancelot Kollman Ramos' Animal Welfare Act license, a cease and desist order, and assessment of a \$13,750 civil penalty are appropriate and necessary to ensure Lancelot Kollman Ramos' compliance with the Regulations and Standards in the future, to deter others from violating the Animal Welfare Act and the Regulations and Standards, and to fulfill the remedial purposes of the Animal Welfare Act.

Conclusions of Law

1. The Secretary of Agriculture has jurisdiction in this matter.
2. On or about September 13, 2000, Lancelot Kollman Ramos operated as a dealer by delivering for transportation, or transporting, two lions for exhibition, without a

¹³(...continued)

Federal Civil Penalties Inflation Adjustment Act of 1990, as amended (28 U.S.C. § 2461 note), the Secretary of Agriculture, effective September 2, 1997, adjusted the civil penalty that may be assessed under section 19(b) of the Animal Welfare Act (7 U.S.C. § 2149(b)) for each violation of the Animal Welfare Act and the Regulations and Standards by increasing the maximum civil penalty from \$2,500 to \$2,750 (7 C.F.R. § 3.91(b)(2)(v) (2005)). Subsequently, the Secretary of Agriculture adjusted the civil penalty that may be assessed under section 19(b) of the Animal Welfare Act (7 U.S.C. § 2149(b)) for each violation of the Animal Welfare Act and the Regulations and Standards occurring after June 23, 2005, by increasing the maximum civil penalty from \$2,500 to \$3,750 (7 C.F.R. § 3.91(b)(2)(ii) (2006)). None of Lancelot Kollman Ramos' violations of the Regulations and Standards occurred after June 23, 2005.

valid Animal Welfare Act license, in willful violation of sections 2.1, 2.10(c), and 2.100(a) of the Regulations and Standards (9 C.F.R. §§ 2.1, .10(c), .100(a)).

3. On or about September 13, 2000, Lancelot Kollman Ramos violated the Regulations and Standards governing the provision of veterinary care to animals, in willful violation of section 2.40 of the Regulations and Standards (9 C.F.R. § 2.40):

a. Lancelot Kollman Ramos failed to have an attending veterinarian provide adequate veterinary care to two juvenile lions, in willful violation of section 2.40(a) of the Regulations and Standards (9 C.F.R. § 2.40(a));

b. Lancelot Kollman Ramos failed to establish and maintain adequate programs of veterinary care that include the availability of appropriate facilities, personnel, equipment, and services, in willful violation of section 2.40(b)(1) of the Regulations and Standards (9 C.F.R. § 2.40(b)(1));

c. Lancelot Kollman Ramos failed to establish and maintain adequate programs of veterinary care that include the use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, in willful violation of section 2.40(b)(2) of the Regulations and Standards (9 C.F.R. § 2.40(b)(2));

d. Lancelot Kollman Ramos failed to establish and maintain adequate programs of veterinary care that include daily observation of all animals to assess their health and well-being and a mechanism of direct and frequent communication so that timely and accurate information on problems of animal health and well-being is conveyed

to the attending veterinarian, in willful violation of section 2.40(b)(3) of the Regulations and Standards (9 C.F.R. § 2.40(b)(3)); and

e. Lancelot Kollman Ramos failed to establish and maintain adequate programs of veterinary care that include adequate guidance to personnel involved in the care and use of animals, in willful violation of section 2.40(b)(4) of the Regulations and Standards (9 C.F.R. § 2.40(b)(4)).

4. On or about December 13, 2000, Lancelot Kollman Ramos failed to handle two juvenile lions as carefully and expeditiously as possible in a manner that does not cause trauma, in willful violation of section 2.131(a)(1) of the Regulations and Standards (9 C.F.R. § 2.131(a)(1) (2001)).

5. On or about December 13, 2000, Lancelot Kollman Ramos failed to handle two juvenile lions as carefully and expeditiously as possible in a manner that does not cause behavioral stress, in willful violation of section 2.131(a)(1) of the Regulations and Standards (9 C.F.R. § 2.131(a)(1) (2001)).

6. On or about December 13, 2000, Lancelot Kollman Ramos failed to handle two juvenile lions as carefully and expeditiously as possible in a manner that does not cause physical harm, in willful violation of section 2.131(a)(1) of the Regulations and Standards (9 C.F.R. § 2.131(a)(1) (2001)).

7. On or about December 13, 2000, Lancelot Kollman Ramos failed to handle two juvenile lions as carefully and expeditiously as possible in a manner that does not

cause unnecessary discomfort, in willful violation of section 2.131(a)(1) of the Regulations and Standards (9 C.F.R. § 2.131(a)(1) (2001)).

8. On or about December 13, 2000, Lancelot Kollman Ramos, and/or his agents, used physical abuse to train, work, or otherwise handle two juvenile lions, in willful violation of section 2.131(a)(2)(i) of the Regulations and Standards (9 C.F.R. § 2.131(a)(2)(i) (2001)).

For the foregoing reasons, the following Order is issued.

ORDER

1. Lancelot Kollman Ramos, his agents and employees, successors and assigns, directly or indirectly through any corporate or other device, shall cease and desist from violating the Animal Welfare Act and the Regulations and Standards.

Paragraph 1 of this Order shall become effective on the day after service of this Order on Lancelot Kollman Ramos.

2. Lancelot Kollman Ramos is assessed a \$13,750 civil penalty. The civil penalty shall be paid by certified check or money order made payable to the Treasurer of the United States and sent to:

Colleen A. Carroll
United States Department of Agriculture
Office of the General Counsel
Marketing Division
1400 Independence Avenue, SW
Room 2343-South Building, Mail Stop 1417
Washington, DC 20250-1417

Payment of the civil penalty shall be sent to, and received by, Colleen A. Carroll within 60 days after service of this Order on Lancelot Kollman Ramos. Lancelot Kollman Ramos shall state on the certified check or money order that payment is in reference to AWA Docket No. 05-0016.

3. Lancelot Kollman Ramos' Animal Welfare Act license (Animal Welfare Act license number 58-C-0816) is revoked.

Paragraph 3 of this Order shall become effective on the 60th day after service of this Order on Lancelot Kollman Ramos.

RIGHT TO JUDICIAL REVIEW

Lancelot Kollman Ramos has the right to seek judicial review of the Order in this Decision and Order as to Lancelot Kollman Ramos in the appropriate United States Court of Appeals in accordance with 28 U.S.C. §§ 2341-2350. Such court has exclusive jurisdiction to enjoin, to set aside, to suspend (in whole or in part), or to determine the validity of the Order in this Decision and Order as to Lancelot Kollman Ramos. Lancelot

Kollman Ramos must seek judicial review within 60 days after entry of the Order in this Decision and Order as to Lancelot Kollman Ramos.¹⁴ The date of entry of the Order in this Decision and Order as to Lancelot Kollman Ramos is October 2, 2007.

Done at Washington, DC

October 2, 2007

William G. Jenson
Judicial Officer

¹⁴7 U.S.C. § 2149(c).