

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) HPA Docket No. 02-0001  
)  
Ronald Beltz, an individual; and )  
Christopher Jerome Zahnd, an individual,) )  
) **Order Lifting Stay Order as to**  
Respondents ) **Christopher Jerome Zahnd**

On December 28, 2005, I issued a Decision and Order as to Christopher Jerome Zahnd: (1) concluding Christopher Jerome Zahnd [hereinafter Zahnd] violated the Horse Protection Act of 1970, as amended (15 U.S.C. §§ 1821-1831); (2) assessing Zahnd a \$2,200 civil penalty; and (3) disqualifying Zahnd for 1 year from showing, exhibiting, or entering any horse, and from managing, judging, or otherwise participating in any horse show, horse exhibition, horse sale, or horse auction.<sup>1</sup> On January 12, 2006, Zahnd filed a motion for reconsideration, which I denied.<sup>2</sup>

On March 8, 2006, Zahnd filed a petition for review of *In re Ronald Beltz* (Decision as to Christopher Jerome Zahnd), \_\_ Agric. Dec. \_\_\_\_ (Dec. 28, 2005), and *In re*

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<sup>1</sup>*In re Ronald Beltz* (Decision as to Christopher Jerome Zahnd), \_\_ Agric. Dec. \_\_\_\_ (Dec. 28, 2005).

<sup>2</sup>*In re Ronald Beltz* (Order Denying Mot. for Recons. as to Christopher Jerome Zahnd), \_\_ Agric. Dec. \_\_\_\_ (Feb. 6, 2006).

*Ronald Beltz* (Order Denying Mot. for Recons. as to Christopher Jerome Zahnd), \_\_\_ Agric. Dec. \_\_\_ (Feb. 6, 2006), with the United States Court of Appeals for the Eleventh Circuit. On June 14, 2006, Zahnd requested a stay of the Orders in *In re Ronald Beltz* (Decision as to Christopher Jerome Zahnd), \_\_\_ Agric. Dec. \_\_\_ (Dec. 28, 2005), and *In re Ronald Beltz* (Order Denying Mot. for Recons. as to Christopher Jerome Zahnd), \_\_\_ Agric. Dec. \_\_\_ (Feb. 6, 2006), pending the outcome of proceedings for judicial review, which I granted.<sup>3</sup>

On February 21, 2007, the United States Court of Appeals for the Eleventh Circuit denied Zahnd's petition for review.<sup>4</sup> On March 7, 2007, William R. DeHaven, Acting Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture [hereinafter the Acting Administrator], filed a "Request To Begin Suspension Immediately" attached to which is a letter dated February 27, 2007, in which Zahnd requests that the Order disqualifying him for 1 year from showing, exhibiting, or entering any horse, and from managing, judging, or otherwise participating in any horse show, horse exhibition, horse sale, or horse auction become effective immediately. The Acting Administrator states: (1) Zahnd has paid the \$2,200 civil penalty assessed in *In re Ronald Beltz* (Decision as to Christopher Jerome Zahnd), \_\_\_ Agric. Dec. \_\_\_ (Dec. 28, 2005), and *In re Ronald Beltz* (Order Denying Mot. for Recons. as to Christopher Jerome Zahnd),

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<sup>3</sup>*In re Ronald Beltz* (Stay Order as to Christopher Jerome Zahnd), \_\_\_ Agric. Dec. \_\_\_ (June 15, 2006).

<sup>4</sup>*Zahnd v. Sec'y of Agric.*, No. 06-11571 (11th Cir. Feb. 21, 2007).

\_\_\_ Agric. Dec. \_\_\_ (Feb. 6, 2006); and (2) the Acting Administrator does not oppose Zahnd's request that his disqualification become effective immediately.<sup>5</sup>

Based on the foregoing, Zahnd's request to lift the Stay Order as to Christopher Jerome Zahnd is granted and the following Order disqualifying Zahnd, effective March 8, 2007, should be issued.<sup>6</sup>

### ORDER

Zahnd is disqualified for a period of 1 year from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or device, and from managing, judging, or otherwise participating in any horse show, horse exhibition, horse sale, or horse auction. "Participating" means engaging in any activity beyond that of a spectator, and includes, without limitation: (a) transporting or arranging for the transportation of horses to or from any horse show, horse exhibition, horse sale, or horse auction; (b) personally giving instructions to exhibitors; (c) being present in the warm-up areas, inspection areas, or other areas where spectators are not allowed at any horse show,

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<sup>5</sup>Request To Begin Suspension Immediately.

<sup>6</sup>As Zahnd has paid the \$2,200 civil penalty assessed in *In re Ronald Beltz* (Decision as to Christopher Jerome Zahnd), \_\_\_ Agric. Dec. \_\_\_ (Dec. 28, 2005), and *In re Ronald Beltz* (Order Denying Mot. for Recons. as to Christopher Jerome Zahnd), \_\_\_ Agric. Dec. \_\_\_ (Feb. 6, 2006), I do not issue an Order assessing Zahnd a civil penalty in this Order Lifting Stay Order as to Christopher Jerome Zahnd.

horse exhibition, horse sale, or horse auction; and (d) financing the participation of others in any horse show, horse exhibition, horse sale, or horse auction.

This Order is effective beginning March 8, 2007.

Done at Washington, DC

March 8, 2007

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William G. Jenson  
Judicial Officer