

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) P.Q. Docket No. 08-0093
Farovi Shipping Corporation) A.Q. Docket No. 08-0093
Respondent) Consent Decision

This proceeding was instituted under the Plant Protection Act (7 U.S.C. § 7701 et seq.) and the Animal Health Protection Act (7 U.S.C. § 8301 et seq.)(together the "Acts"), by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service alleging that the respondent violated the Act and regulations promulgated thereunder. The complainant and the respondent have agreed that this proceeding should be terminated by entry of this Consent Decision.

For the purposes of this Consent Decision only, respondent specifically admits that the Secretary of the United States Department of Agriculture has jurisdiction in this matter, neither admits nor denies the remaining allegations in the complaint, and admits to the Findings of Fact set forth below.

Respondent waives:

- (a) Any further procedure;
- (b) Any requirement that the final decision in this proceeding contain findings and conclusions with respect to all material issues of fact, law, or discretion, as well as the reasons or bases thereof;
- (c) All rights to seek judicial review and otherwise challenge or contest the validity of this decision; and
- (d) Any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 et seq.) for fees and other expenses incurred by the respondent in connection with this proceeding.

(e) Any other action against the United States Department of Agriculture and its employees in connection with the facts and events that gave rise to this proceeding.

Findings of Fact

1. Farovi Shipping Corporation, hereinafter referred to as respondent, is a business incorporated under the laws of the State of Florida, with a mailing address of 125 N.E. 9th Street, Miami, FL 33132.

2. On March 19, 2004, respondent served as agent for the *Parana*, a ship which entered the United States at the port of Miami, Florida, and had been in foreign waters within the previous two years.


Conclusions

The respondent has admitted the jurisdictional facts and has agreed to the following Order in disposition of this proceeding; therefore, this Consent Decision will be issued.


Order

The respondent, Farovi Shipping Corporation, is assessed a civil penalty of two thousand dollars (\$2,000.00). The respondent shall send a certified check or money order for two thousand dollars (\$2,000.00), payable to the Treasurer of the United States, to United States Department of Agriculture, APHIS, Accounts Receivable, P.O. Box 3334, Minneapolis, Minnesota 55403, within thirty (30) days from the effective date of this Order. The certified check or money order should include the docket numbers of this proceeding, P.Q. and A.Q. 08-0093.

This Order shall become effective when served on the respondent.

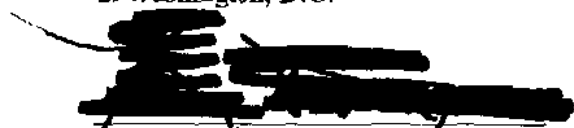

Carlos M. Babot, Sr. on behalf of
Farovi Shipping Corporation
Respondent


Krishna Ramaraju
Attorney for Complainant


Alvaro L. Mejer, Esq.
Armstrong and Mejer, P.A.
Attorney for Respondent

Issued this 17th day of November, 2008

at Washington, D.C.


Administrative Law Judge