



United States
Department of
Agriculture

Animal and
Plant Health
Inspection
Service

Marketing &
Regulatory
Programs Business
Services

4700 River Road
Riverdale, MD
20737

John Dollarhite
c/o Richard Anderson
P.O. Box 2145
Branson West, Missouri 65737-2145

**CERTIFIED MAIL
RETURN RECEIPT**

Dear Sir:

The Animal and Plant Health Inspection Service (APHIS) enforces the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (AWA) and the regulations issued thereunder.

A recent APHIS investigation documents alleged violations of the AWA as described in the enclosed Stipulation Agreement. The AWA authorizes the Secretary of Agriculture, after providing notice and opportunity for hearing, to impose civil penalties of up to \$10,000 for each of the violations documented in our investigation. You may, however, waive your right to a hearing and settle this matter by: (1) agreeing not to buy, sell, own, or possess breeding animals; (2) agreeing to permanent disqualification from obtaining a license; and (3) signing and returning the enclosed Stipulation Agreement no later than July 29, 2011.

Please sign and return the enclosed Stipulation Agreement to the following address:

USDA, APHIS, IES (MO09099-AC)
4700 River Road, Unit 85
Riverdale, MD 20737-1234

You may contact our office at (301) 734-8684 if you have any questions.

Sincerely,

Sarah L. Conant
Chief, Animal Health and Welfare Enforcement Branch
Investigative and Enforcement Services

Enclosure



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Program

An Equal Opportunity Provider and Employer

STIPULATION AGREEMENT

THIS AGREEMENT is entered into by the United States Department of Agriculture, Animal and Plant Health Inspection Service (“APHIS”), Animal Care, and John Dollarhite (doing business as Dollarvalue Rabbitry), with reference to the following facts:

- I. At all times mentioned herein, John Dollarhite was an unlicensed individual whose mailing address is 1537 Osborne Lane, Nixa, Missouri 65714.
- II. APHIS has documented evidence of John Dollarhite’s non-compliance with the Animal Welfare Act (7 U.S.C. § 2131 *et seq.*) (AWA) and the regulations promulgated thereunder (9 C.F.R. § 1.1 *et seq.*), and, specifically, has documented evidence of John Dollarhite operating as a dealer by selling rabbits used for exhibition and for resale without a valid USDA license as required by the AWA regulations (9 C.F.R. § 2.1(a)(1)).
- III. APHIS has not instituted an administrative enforcement action based on the findings described above in paragraph II.
- IV. APHIS and John Dollarhite have determined to settle the issues related to the potential violations of the AWA and the regulations and standards issued thereunder, as described above.

NOW, THEREFORE, it is agreed as follows:

- A. John Dollarhite admits that the Secretary has jurisdiction in this matter, and waives oral hearing and further procedure.
- B. John Dollarhite consents and agrees to the following:

1. John Dollarhite agrees not to buy, sell, own, or possess breeding animals. "Breeding animals" include those animals that have not been spayed or neutered and fall under the definition of "animal" contained in the AWA and regulations promulgated thereunder (9 C.F.R. § 1.1).

2. John Dollarhite and any partnership, firm, corporation, or other legal entity that he controls or in which he has a substantial interest, financial or otherwise, are permanently disqualified from (a) obtaining an AWA license, and (b) engaging in activities governed by the AWA (7 U.S.C. § 2131 *et seq.*) and regulations issued thereunder (9 C.F.R. § 1.1 *et seq.*), either directly or indirectly, on or off 1537 Osborne Lane, Nixa, Missouri 65714.

C. John Dollarhite consents and agrees that his failure to comply with the terms of this Agreement shall automatically void paragraph D below, and that APHIS shall have the right to immediately institute enforcement proceedings against John Dollarhite based upon the non-compliant items documented in connection with animal welfare investigation MO09099-AC, and any future violations, and to pursue any and all remedies available to APHIS under the AWA.

D. For and in consideration of John Dollarhite's agreements and actions described in paragraph B above, and the promises and admissions of John Dollarhite set forth herein, APHIS agrees not to institute an administrative or civil enforcement action against John Dollarhite in connection with the alleged AWA violations documented in animal welfare investigation MO09099-AC.

APHIS and John Dollarhite warrant and represent that their respective representatives,

whose signatures appear below, have the authority to execute this Agreement and to bind each of the parties, respectively, to this Agreement.

JOHN DOLLARHITE

Date: _____

U.S. DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Robert M. Gibbens
Director, Animal Care, Western Region
Animal and Plant Health Inspection Service
United States Department of Agriculture

Date: _____