

# USDA Enforces Regulations

WASHINGTON, — The U.S. Department of Agriculture settled 10 cases in July to enforce federal animals and plant health laws and regulations.

Bert W. Hawkins, administrator of USDA's Animal and Plant Health Inspection Service, said individuals and businesses were fined a total of \$6,375, and one veterinarian had his federal accreditation suspended.

The latest monthly figures also show port inspectors collected \$39,005 in civil penalties from 1,445 international travelers caught smuggling potentially hazardous agricultural products into the country and \$7,200 from 51 businesses or shipping companies that mishandled or improperly disposed of regulated garbage.

In addition, three charges were filed during July against persons or businesses accused of violating agency regulations. Other violation involved illegal interstate movement of livestock; another, the importation of prohibited fruit; and the third, mishandling of foreign-origin garbage.

"USDA enforces a variety of programs to prevent, control or eradicate pests and diseases of plants and animals," Hawkins said. "Action is generally taken against violators only when repeated efforts to secure compliance are unsuccessful."

Most enforcement is carried out under administrative law procedures in lieu of criminal trials. In many civil cases, accused parties use a provision of administrative law that allows them to accept a penalty without a hearing and, in some cases, without admitting or denying the charges.

Other civil cases are resolved by a federal administrative law judge, who hears testimony and reviews briefs by the parties before handing down a decision. Failure to respond to USDA charges constitutes admission of guilt, and penalties are assessed by an administrative law judge.

The following actions, grouped by subject, were settled in July:

**INTERSTATE MOVEMENT OF LIVESTOCK** — Certain livestock moving across state lines

must be identified and accompanied by health certificates and permits, depending on the species, age, sex, health status and origin of the animals. A number of livestock diseases, such as brucellosis and tuberculosis, are being eradicated under cooperative state-federal programs; however, these diseases could spread rapidly if dealers and producers fail to follow shipping rules.

— Douglas Sasseen of Bakersfield, Mo., was assessed a \$50 civil penalty by an administrative law judge in regard to charges that he failed to comply with federal cattle shipping regulations. USDA charged that on or about Feb. 20, 1983, Sasseen moved a brucellosis-reactor cow from West Plains, Mo., to Grenada, Miss., without the required shipping permit.

— Bruce Cartwright formerly of Plain Dealing, La., was assessed a \$1,000 civil penalty by an administrative law judge to charges that on or about April 2, 1983, he violated federal cattle shipping regulations. USDA alleged that Cart-

wright moved at least one cow interstate from Arkansas to Louisiana without the required certificate and permit for entry.

— Lloyd Howard Weaver of Nacogdoches, Texas, agreed to pay a \$750 civil penalty without admitting or denying USDA allegations that on Feb. 28, 1985, he moved nine cows interstate from Mansfield, La., to Nacogdoches, Texas, without having the animals tested and found negative for brucellosis within 30 days before they were shipped and without an accompanying certificate and permit for entry as required.

**VETERINARY ACCREDITATION** — USDA accredits practicing veterinarians to perform official services for USDA. To become accredited, veterinarians must pass a special examination and adhere to a strict code of ethics, regulations and procedures. Suspension or revocation of accreditation does not affect a veterinarian's state license to practice veterinary medicine.

— J.E. Day of Virqua, Wis., agreed to have his federal accreditation suspended for three months from July 6, 1987, to Oct. 6, 1987. USDA alleged that on two occasions during March 1985, Day failed to properly identify at least 15 brucellosis-vaccinated heifers with legible tattoos as required.

## Soil Conservation

### Award Given

HEGINS (Schuylkill Co.) — Craig R. Morgan, Schuylkill Conservation District Manager, announced today that Quaker State

Farms, Gary Harner Farming and Traffic Operations Manager, of RD Klingerstown, was selected as the Schuylkill Conservation District's 1987 "Cooperator of the Year." Harner was presented the award at the Conservation District's monthly meeting at the home of the District Chairman, Dr. James S. Shadle, in RD Hegin.

The "Cooperator of the Year" is selected from among the 1000+ landowners in Schuylkill County who are cooperators with the Schuylkill Conservation District based on the landowner's initiative to install soil and water conservation practices on their farmland. These practices reduce soil erosion and therefore decrease amount of pesticides, fertilizers and other materials from entering streams.

The assistance provided to a farmer by the Schuylkill Conservation District and the Soil Conservation Service is incorporated into a farm management plan, which in the case of Quaker State Farms, serves as a model to other farmers that soil and water conservation practices are cost effective and can be incorporated into a successful farming operation Morgan said. The selection is made by a committee composed of representatives from the USDA Soil Conservation Service, Agricultural Stabilization and Conservation Service, Cooperative Extension Service and the Schuylkill Conservation District.

Quaker State Farms has installed 4835 feet of Cropland Terraces, 2326 feet of waterways and 60 acres of contour strips over the past three years. Harner said they (Quaker State) use conservation tillage practices to conserve soil. They use no-till and minimum tillage practices instead of plowing. Morgan said plowing turns all residues underground and exposes bare soil to the rain drops which act as tiny bombs that dislodge soil particles and carries them to streams.

Harner manages the 900 acres of farmland in RD Klingerstown and Dauphin County. Harner's wife, Darlene, also is employed by Quaker State Farms.



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