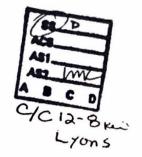
CERTIFIED RECEIPT REQUESTED



Attractions Hawaii dba Sea Life Park Makapuu Point Waimanalo, HI 96795

DEC | _ 1994

Gentlemen:

Our investigation shows that you violated Federal Regulations as described on the enclosed Civil Penalty Stipulation Agreement form. These regulations provide for criminal penalties up to \$2,500 and/or 1 year in jail or civil penalties up to \$2,500 for each violation.

The Secretary of Agriculture may assess a civil penalty for such violations after notice and an opportunity for a hearing. However, you may waive your right to a hearing and settle this matter by paying \$500 and completing Section II of the agreement form. You may voluntarily enter this agreement to avoid further action.

Please pay the civil penalty by certified check or money order made payable to the Treasurer of the United States. Write the Case Number (HI94113) on your check or money order and mail it with the signed agreement form to:

> Regulatory Enforcement (HI94113) USDA, APHIS, REAC Federal Building, Room 564 6505 Belcrest Road Hyattsville, Maryland 20782 Telephone No. (301) 436-8684

Upon receipt, we will send you a copy of the stipulation marked paid. If we do not receive your signed stipulation agreement and payment within 20 days of receipt of this letter, we will seek higher civil or criminal penalties for each violation.

Sincerely,

/s/ Alan R. Christian

Alan R. Christian Director Regulatory Enforcement Staff

Enclosure

REAC-AC, Sacramento, CA REAC-RE, Sacramento, CA

APHIS: REAC: JLBrown: jlb: 436-8759:11-30-94



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

CIVIL PENALTY STIPULATION AGREEMENT

٦.	Case Number:	2. Name of Alleged Viol. Attractions Hawa	
	HI94113-AW	dba Sea Life Park	Makapuu Point
		USDA License No. 95	i-C-11 Waimanalo, HI 96795
4.	Violation Date	9CFR Section Violated	Description of Violation -
	04-JUN-94		Handling of Animals - drain left open causing injury to dorsal fin of whale.
			•
 5.	Civil Penalty asso	essed for this Violation(s):	
	\$ <u>500.0</u>	0_	
6.	Remarks:		
	One previous vid	elation (HI94022), May 94	
		SECTION II - A	LLEGED VIOLATOR
ies les	ess a civil penalt	y of not more than \$2,500 for	2131 et seq.), authorizes the Secretary of Agriculture to each violation and to suspend or revoke the license of an of to section 12 of the Act, after notice and opportunity for
		cified civil penalty to waive h	cified civil penalty in settlement of this matter. If you do no saring, a complaint may be issued charging you with the pring. However, the civil penalty offered to settle this matte
vis iol			civil penalty which may be assessed after a hearing.
vis iol t t	his time shall not knowledge that I	be relevant in any respect to the	civil penalty which may be assessed after a hearing. for a hearing and waive such hearing; and as a civil penalty
vis iol it t ac	his time shall not knowledge that I	be relevant in any respect to the have been given an opportunity	civil penalty which may be assessed after a hearing. for a hearing and waive such hearing; and as a civil penalty
via iol t t ac	his time shall not knowledge that I ill settlement of t	be relevant in any respect to the have been given an opportunity	civil penalty which may be assessed after a hearing. for a hearing and waive such hearing; and as a civil penalty n of \$500.00.
vis iol t t ac	his time shall not knowledge that I ull settlement of the Signature:	be relevant in any respect to the have been given an opportunity nis matter, I agree to pay the sur	civil penalty which may be assessed after a hearing. for a hearing and waive such hearing; and as a civil penalty n of \$500.00.
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visiol t t ac n fi	knowledge that I ull settlement of the Signature: SEC	be relevant in any respect to the have been given an opportunity nis matter, I agree to pay the sur	civil penalty which may be assessed after a hearing. for a hearing and waive such hearing; and as a civil penalty n of \$500.00. 8. Date: Y REGULATORY PERSONNEL
vis iol it t ac i fi	knowledge that I ull settlement of the Signature: SEC	have been given an opportunity his matter, I agree to pay the sur	civil penalty which may be assessed after a hearing. for a hearing and waive such hearing; and as a civil penalt in of \$500.00. 8. Date: Y REGULATORY PERSONNEL Check Other