

Investigative and Enforcement Services

Settlement Agreement

USDA, APHIS, IES
 4700 River Road, Unit 85
 Riverdale, MD 20737
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RESPONDENT:
**State University of New York
 Dba, SUNY Downstate Medical Center
 450 Clarkson Avenue, Box 47
 Brooklyn, NY 11203**

CASE NUMBER | NY09207-AC
 DUE ON OR BEFORE | June 20, 2010
 CONTACT | [REDACTED]
 PHONE | (301) 734-8684

DATE	CITATION	DESCRIPTION
29 OCT 2008	9 CFR 2.33	<u>Attending veterinarian and adequate veterinary care:</u> At the time of inspection there were expired bags of sodium chloride solution in the investigator lab room 5-86B. Out of date medicines/drugs need to be discarded.
	9 CFR 3.84(c)	<u>Cleaning, Sanitation, Housekeeping, and Pest Control:</u> In room 921B, the ceiling joint seats are split with a separation from the wall and an area of the ceiling surface has peeling paint. On the clean side of the cage washer it has areas of the ceiling that are also peeling. There are areas in various rooms that have cracked or peeling ceilings. Facilities need to ensure ceiling surfaces are well maintained and in good repair.
7 JAN 2009	9 CFR 3.84(c)	<u>Cleaning, Sanitation, Housekeeping, and Pest Control:</u> Light cover in the corridor outside of room 9-40 is cracked and needs to be repaired. The area around the light frame in the corridor outside of room 9-2 is cracking and the ceiling outside room 9-4 is peeling and cracking. Primate room 9-42 and 9-40 has areas of cracked and peeling ceiling, clean side of the cage washer has an area of the ceiling that is cracked. These need to be repaired. Surgical prep room on the 8 th floor has a ceiling tile with water damage and this room is missing a ceiling tile, both tiles need to be addressed. Cage storage room 8-24 has an area that is blistering and needs to be repaired.
4 AUG 2009	9 CFR 3.84(c)	<u>Cleaning, Sanitation, Housekeeping, and Pest Control:</u> Clean side of the cage washer continues to have an area of the ceiling that is cracked.

PENALTY \$3,250.00 **TERMS**

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture, after providing notice and opportunity for a hearing, to impose civil penalties and other sanctions to resolve violations.

Prior to the issuance of a formal complaint seeking sanctions under the Act, The Department may enter into a stipulation to resolve the above-described violations. Your payment constitutes a waiver of your right to a hearing, a finding that the violations of law have occurred, and settlement of such violations.

If you do not pay the specified penalty within the designated time or wish to exercise your right to a hearing, this matter will be forwarded to the Office of the General Counsel for litigation. The penalty offered in this stipulation is not relevant to the sanctions the Department may seek, or that will be assessed, upon issuance of a formal complaint.

Signature of Respondent: [REDACTED]

Date: 6/16/11