

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

REC'D - USDA/OALJ/HCO
2024 JUL 1 8:30 AM

In re:

TONIA HADDIX, an individual,

Respondent.

AWA Docket No. [24-J-0071](#)

ORDER TO SHOW CAUSE
WHY ANIMAL WELFARE ACT
LICENSE 43-B-3839 SHOULD
NOT BE TERMINATED

Pursuant to the Animal Welfare Act, as amended (7 U.S.C. § 2131 *et seq.*) (“AWA” or “Act”), and the regulations issued thereunder (9 C.F.R. § 1.1 *et seq.*) (“Regulations”), the Administrator of the Animal and Plant Health Inspection Service (“APHIS”) issues this Order to Show Cause¹ why AWA License 43-B-3839 Should Not Be Terminated, alleging the following:

JURISDICTIONAL ALLEGATIONS

1. Tonia Haddix (“Respondent”) is an individual who resides in the State of Missouri.
2. Respondent’s mailing address will not be provided in the Order to Show Cause to protect her personal privacy, but will be provided to the Hearing Clerk’s Office, United States Department of Agriculture, for the purpose of serving this Order to Show Cause and future documents.
3. Respondent holds AWA Class B “Dealer” License No. 43-B-3839.

¹ 7 C.F.R. § 1.132 (“complaint” defined as, *inter alia*, an order to show cause).

BASIS FOR TERMINATION

4. The AWA is a remedial statute enacted to “insure that animals . . . are provided humane care and treatment.” Section 2.12 of the Regulations, through the bases enumerated in section 2.11, authorizes the Department to terminate any license issued to a person who:

Has made any false or fraudulent statements or provided any false or fraudulent records to the Department or other government agencies, or has pled nolo contendere (no contest) or has been found to have violated any Federal, State, or local laws or regulations pertaining to the transportation, ownership, neglect or welfare of animals, or is otherwise unfit to be licensed and the Administrator determines that the issuance of a license would be contrary to the purposes of the Act.

9 C.F.R. § 2.11(a)(7).

5. On or about October 2, 2020, the Respondent owned seven chimpanzees.

6. On or about October 2, 2020, the United States District Court for the Eastern District of Missouri² issued a Consent Decree ordering the Respondent to transfer four chimpanzees to a sanctuary and allowing the Respondent to retain ownership of three chimpanzees, pursuant to the terms of the Consent Decree.

7. On or about April 8, 2021, the United States District Court for the Eastern District of Missouri issued an Order of Civil Contempt due to the Respondent’s failure to meet the terms of the Consent Decree.

8. On or about June 1, 2021, the United States District Court for the Eastern District of Missouri issued a Second Order of Civil Contempt due to the Respondent’s failure to meet the terms of the Consent Decree.

² In *Missouri Primate Found. v. People for the Ethical Treatment of Animals*, Case No. 4:16CV02163.

9. On or about July 14, 2021, the United States District Court for the Eastern District of Missouri ordered the Respondent to relinquish ownership of the three chimpanzees she had been previously allowed to retain pursuant to the terms of the Consent Decision.

10. On or about July 28, 2021, six chimpanzees were transferred to a sanctuary.

11. On or about August 16, 2021, the Respondent submitted a sworn declaration to the United States District Court for the Eastern District of Missouri stating that the seventh chimpanzee, known as “Tonka,” died on May 30, 2021, and the chimpanzee’s body was cremated.

12. On or about January 5, 2022, the United States District Court for the Eastern District of Missouri held a Contempt Hearing during which the Respondent provided detailed statements about the death of “Tonka” while under oath.

13. On or about June 1, 2022, after receiving evidence that “Tonka” was alive, the United States District Court for the Eastern District of Missouri issued a Temporary Restraining Order against the Respondent.

14. On or about June 2, 2022, the United States Marshals Service served the Respondent with the Temporary Restraining Order and found “Tonka” alive at the Respondent’s property.

15. On or about June 5, 2022, “Tonka” was transferred to a sanctuary.

16. Respondent’s conduct before the United States District Court for the Eastern District of Missouri makes the Respondent unfit to be licensed, as her continued licensure would be contrary to the Act’s purpose of ensuring the humane care and treatment of animals. As a result, AWA License No. 43-B-3839 should be terminated pursuant to 9 C.F.R. §§ 2.11(a)(7) and 2.12.

WHEREFORE, it is hereby ordered that for the purpose of determining whether the Respondent has, in fact, violated the Act and Regulations promulgated thereunder, this Order to Show Cause shall be served upon the Respondent. Respondent shall have twenty (20) days after service of this Order to Show Cause in which to file an answer with the Office of the Hearing Clerk, United States Department of Agriculture, 1400 Independence Avenue, Room 1031-South Building, Washington, D.C. 20250-9203, in accordance with the applicable Rules of Practice (7 C.F.R. § 1.136). Failure to file an answer within the prescribed time shall constitute an admission of the allegations in this Order to Show Cause and a waiver of hearing. Failure to deny or otherwise respond to any allegations in this Order to Show Cause shall constitute an admission of the allegation. APHIS requests that this matter proceed in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 *et seq.*), and that such order or orders be issued as are authorized by the Act (7 U.S.C. § 2149) and warranted under the circumstances.

Done at Washington, D.C.
 this ____ day of _____ 2024
 MICHAEL WATSON
Digitally signed by MICHAEL WATSON
 Date: 2024.06.28 14:21:04 -04'00'
 Dr. Michael Watson
 Administrator
 Animal and Plant Health Inspection Service

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