

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

JASON CLAY, an individual, d/b/a
FRANKLIN DRIVE THRU SAFARI,
INC.

Respondent.

AWA Docket No. [26-J-0006](#)

ORDER TO SHOW CAUSE WHY
ANIMAL WELFARE ACT
LICENSE NUMBER 74-C-0939
SHOULD NOT BE TERMINATED

Pursuant to the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.) (“Act” or “AWA”) and the regulations promulgated 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 74-C-0939 should not be terminated (“Order to Show Cause”), and alleges as follows:

JURISDICTIONAL ALLEGATIONS

1. Jason Clay (“the Respondent”) is an individual doing business as “Franklin Drive Thru Safari, Inc.” The Respondent’s address will not be provided in this Order to Show Cause to protect the Respondent’s personal privacy but will be provided to the Hearing Clerk, United States Department of Agriculture, for the purpose of service of this Order to Show Cause and future documents.

2. The Respondent holds Animal Welfare Act Class “C” Exhibitor License number 74-C-0939.

BASIS FOR TERMINATION

3. The AWA is a remedial statute enacted to “insure that animals...are provided

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

humane care and treatment.” Section 2.12 of the Regulations (9 C.F.R. § 2.12), through section 2.11 of the Regulations (9 C.F.R. § 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).

4. On or about June 28, 2022, the Respondent was indicted on a charge of violating the Endangered Species Act, a Federal law pertaining to the transportation, ownership, neglect, or welfare of animals.² The Indictment, in Count #6, alleged that the Respondent, and other named defendants in the case:

“did themselves, and through the actions of others, knowingly deliver, receive, carry, transport, and ship endangered species of wildlife, that is, a juvenile chimpanzee (*pan troglodytes*) in interstate commerce, in the course of a commercial activity. All in violation of Title 16, United States Code, Section 1538(a)(1)(E), and (F) and 1540(b)(1), and Title 18, United States Code, Section 2.”³

5. On or about December 15, 2023, the Respondent entered into a Plea Agreement wherein he agreed to plead guilty to the Endangered Species Act charge in Count #6 on the Indictment, admitting that he did, or caused another to, “knowingly deliver, receive, carry,

² *United States of America v. Bhagavan Mahamayavi Antle a/k/a Kevin Antle, a/k/a Doc Antle, et al.*, No. 4:22-cr-580 (D.S.C. June 28, 2022), Doc. No. 62 (Indictment), p. 9 (hereinafter “Indictment”). The Respondent was also indicted on a charge, which was later dismissed, of violating the Lacey Act under Title 16, United States Code, Sections 3372(d)(2) and 3373(d)(3)(A)(ii), and Title 18, United States Code Section 2 (Count 5 of the Indictment). With respect to the Lacey Act charge, the Indictment alleged that on or about October 23, 2019, the Respondent, and other named defendants, “did knowingly engage in conduct involving the sale and purchase of, offer to sell and purchase, and commission of an act with intent to sell and purchase wildlife with a market value greater than \$350, that is, a juvenile chimpanzee (*Pan troglodytes*), and the Defendants did knowingly make, and cause to be made, a false record, account, label, and identification of the chimpanzee, which had been and was intended to be transported in interstate commerce.” *Id.* at p. 8.

³ *Id.* at p. 9.

transport, ship, sell or offer for sale, an endangered species; in interstate commerce; in the course of a commercial transaction.”⁴

6. On or about January 24, 2024, the Respondent pleaded guilty to Count #6 of the Indictment.⁵

7. On or about June 10, 2025, United States District Judge Joseph Dawson III issued a Judgment sentencing the Respondent to four months in federal prison, a \$25 special assessment fee, and a \$4,000 fine for pleading guilty to Count #6 of the Indictment.⁶

8. The Respondent’s guilty plea to a violation of the Endangered Species Act, a violation of 16 U.S.C. §§ 1538(a)(1)(E) and (F) and 1540(b)(1), and the Judgment issued by United States District Judge Joseph Dawson III, makes the Respondent unfit to hold an AWA license, as he has been found to have violated a Federal law pertaining to the transportation, ownership, neglect, or welfare of animals. The Administrator has determined that the Respondent’s continuous possession of an AWA license would be contrary to the purposes of the Act, and that said license 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 Animal Welfare Act license No. 74-C-0939 should be terminated in accordance with the Act and the Regulations issued under the Act, this Order to Show Cause shall be served upon the Respondent. The 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

⁴ *United States of America v. Jason Clay*, No. 4:22-cr-580 (D.S.C. Dec. 15, 2023), Doc. No. 241 (Plea Agreement), p. 1.

⁵ *United States of America v. Jason Clay*, No. 4:22-cr-580 (D.S.C. Jan. 24, 2024), Doc. No. 258 (Plea).

⁶ *United States of America v. Jason Clay*, No. 4:22-cr-580 (D.S.C. June 12, 2025), Doc. No. 334 (Judgment in a Criminal Case).

Independence Avenue, S.W., Room 1031-South Building, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R §1.130 et seq.). Failure to file a timely answer shall constitute an admission of all the material allegations of 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 _____ 202__

SARAH HELMING  Digitally signed by SARAH HELMING
Date: 2025.12.17 16:53:11 -05'00'

Dr. Michael Watson
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Animal and Plant Health Inspection Service

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