



Citation: *Francis v. Canada (Canada Border Services Agency)*, 2014 CART 32

Date: 20141029

Docket: CART/CRAC-1797

**BETWEEN:**

**Devon Francis, Applicant**

**- and -**

**Canada Border Services Agency, Respondent**

**BEFORE: Chairperson Donald Buckingham**

**WITH: Devon Francis, self-represented; and  
Melanie Charbonneau, representative for the Agency**

In the matter of an application made by the applicant, pursuant to paragraph 9(2)(c) of the *Agriculture and Agri-Food Administrative Monetary Penalties Act*, for a review of the facts of an alleged violation of section 39 of the *Plant Protection Regulations*.

**DECISION**

The respondent Canada Border Services Agency (Agency) provided written confirmation that it consents to the issuance of an order by the Canada Agricultural Review Tribunal (Tribunal) that the applicant Devon Francis did not commit the violation alleged in the Agency's Notice of Violation #4974-14-0766, issued August 11 2014.

After a review of written submissions, the Tribunal, by order, determines that the applicant did not commit the alleged violation and is not liable for payment of the monetary penalty.

Dated at Ottawa, Ontario, this 29th day of October, 2014.

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Dr. Don Buckingham, Chairperson