

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

ADMINISTRATIVE PROCEEDINGS RULINGS
Release No. 1273/February 27, 2014

ADMINISTRATIVE PROCEEDING
File No. 3-15457

In the Matter of

NORTH CHINA HORTICULTURE, INC.

ORDER TO SHOW CAUSE

On September 6, 2013, the Securities and Exchange Commission (Commission) issued an Order Instituting Administrative Proceedings (OIP) against North China Horticulture, Inc. (North China), pursuant to Section 12(j) of the Securities Exchange Act of 1934. On February 25, 2014, the Division of Enforcement (Division) filed the Declaration of David S. Frye to Assist Secretary with Record of Service (Declaration) and supporting exhibits, which establish:

North China is a revoked Nevada corporation located in the People's Republic of China (China). Declaration at 1, Exs. 1-2. Its registered agent has resigned, according to the Nevada Secretary of State's online records; all of its officers are located in China; and additional searches by the Division produced no alternate address for service, other than the address shown in North China's most recent filing with the Commission (service address), which is an address in China. Id. at 2, Exs. 1-2.

Pursuant to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents (Hague Convention), the Division sent a request to the Chinese Central Authority (CCA) for service on North China, at the service address, of the following materials in English and Chinese: the OIP, a letter from the Office of the Secretary, and a letter from the Division providing that documents related to this matter are available for inspection and copying (service documents). Id. at 1-2, Ex. 3. The Hague Convention certificate returned by the CCA (Certificate) and an attached explanation by China's Ministry of Justice (Explanation), dated December 4, 2013, establish that the Chinese authorities' attempt to serve the service documents on North China was unsuccessful because no such company could be found at the address provided.¹ Id. at 3, Ex. 4.

¹ Although some terms in the English translation of the Explanation are slightly different from the terms in the service address, I find that service was attempted at the correct address. Compare Declaration at 2 and Ex. 2 with Ex. 4 at 3. The Certificate verifies that service was attempted at the address provided, and the minor discrepancies in the English translation of the Explanation appear to be immaterial.

I find that North China was served with the OIP by December 4, 2013, in accordance with Commission Rule of Practice 141(a)(2)(iv), 17 C.F.R. § 201.141(a)(2)(iv). To date, North China has not filed an Answer, which was due within ten days after service of the OIP. See OIP at 2; 17 C.F.R. § 201.220(b).

It is ORDERED that on or before Monday, March 10, 2014, North China shall SHOW CAUSE why this proceeding should not be determined against it due to its failure to file an Answer or otherwise defend this proceeding. See 17 C.F.R. §§ 201.155(a)(2), .220(f). If North China fails to respond to this Order, it will be deemed in default, this proceeding will be determined against it, and the registration of its securities will be revoked. See OIP at 2; 17 C.F.R. § 201.155(a)(2).

Cameron Elliot
Administrative Law Judge