

News Release Archive

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News Release

Release No.: 93-12

Contact:
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GIPSA Approves Two UGMA-Compatible Moisture Meters

WASHINGTON, Apr. 11, 2012 – The Grain Inspection, Packers and Stockyards Administration (GIPSA) today announced the approval of two instruments to measure moisture within the official grain inspection system. The instruments are Dickey-john Corporation's GAC 2500UGMA and Perten Instruments' AM-5200-A. The new instruments will replace the Dickey-john Corporation's GAC2100.

Moisture measurement remains one of the most important official and commercial grain inspection activities because of moisture content's impact on the end-use value and storability of grain. GIPSA developed the Unified Grain Moisture Algorithm (UGMA) approach to grain moisture measurement in conjunction with the Agricultural Research Service (ARS) and the Corvinus University of Budapest, Hungary. The new technology, adapted into the two commercially available instruments approved for use by GIPSA, will improve grain moisture measurement by improving the accuracy of the measurement while reducing the cost of maintaining the calibrations used to measure moisture. GIPSA's development of the UGMA has resulted in a means to measure grain that substantially reduces the effects of variables such as sample temperature, geographic origin, variety, crop year, density and kernel moisture distribution.

GIPSA provided information and assistance about the UGMA to any interested instrument manufacturer over the course of the last ten years in order to encourage development by multiple manufacturers. The approval of two UGMA-Compatible instruments is the first time that GIPSA has approved more than a single moisture measurement meter for use within the official inspection system. Permitting multiple manufacturers to design moisture meters using the UGMA technology to improve the accuracy and repeatability of grain moisture meter testing allows for competition within the instrument marketplace for the benefit of moisture meters users.

UGMA-Compatible moisture meters will be implemented in September 2012 for official inspection of major fall harvest grains, such as corn, soybeans, sorghum, sunflower seeds, and rough rice. Major summer harvest grains, such as wheat, barley, oats, and some varieties of beans, peas and lentils, will transition to the UGMA-Compatible instruments in May 2013. A complete list of commodities scheduled for implementation will be available on www.gipsa.usda.gov shortly.



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News Release

Release No.: 94-12

Contact:
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Los Angeles Harbor Grain Terminal, Inc., Pays \$38,000 Penalty to Settle USDA Charges

WASHINGTON, Apr. 5, 2012 – Los Angeles Harbor Grain Terminal, Inc. (Los Angeles Harbor Grain Terminal), Long Beach, Calif., agreed to pay a \$38,000 civil penalty to settle an enforcement action brought by the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA).

Los Angeles Harbor Grain Terminal was charged with deceptively weighing and handling 758 containers of grain, and thereby knowingly attempted to cause the issuance of false official weight certificates. Such action is a violation of the United States Grain Standards Act (USGSA), 7 U.S.C. 87b.

The complaint filed against Los Angeles Harbor Grain Terminal was the result of an investigation conducted by GIPSA under the authority of the USGSA. The USGSA provides for the establishment of U.S. grain standards, and for the official inspection and weighing of grain shipped in domestic and foreign commerce.

GIPSA facilitates the marketing of livestock, poultry, meat, cereals, oilseeds, and related agricultural products, and promotes fair and competitive trading practices for the overall benefit of consumers and American agriculture.

Greg Tomas 202-720-4759
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News Release

Release No.: 01-12

Contact:
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GIPSA Alleges Douglas Butler Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Douglas Butler (Butler):

- failed to pay for livestock; and
- failed to maintain records of transactions, including failure to maintain any invoices pertaining to any cattle that he purchased, and failure to maintain inventory of cattle that he purchased.

GIPSA filed a complaint against Butler on October 19, 2011. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Butler may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Butler is engaged in the business of a dealer, buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture as a dealer to buy and sell livestock for his own account and as a market agency buying livestock on commission .

The P & S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 02-12

Contact:
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GIPSA Alleges James M. Brantley and James H. Brantley, dba Southeastern Provision, LLC, Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that James M. Brantley and James H. Brantley, doing business as Southeastern Provision, LLC (Southeastern), Bean Station, Tenn.:

- failed to use hooks, rollers, gambrels, and other equipment that were uniform in weight;
- operated a monorail scale in connection with its purchases of livestock without a printing device connected to the scale to record the weights on a scale ticket or other document;
- purchased livestock on a carcass grade and weight basis, used a tare of 9 lbs., which was in excess of the average weight of the hooks, rollers, gambrels, and other equipment used in connection with the weighing of carcasses;
- purchased 23 carcasses on a hot weight basis but did not pay according to the original hot weight recorded on the kill sheets; and
- purchased a cow for less than the recorded hot weight and thereby paid less than the full amount due.

GIPSA filed a complaint against James M. Brantley, James H. Brantley and Southeastern on December 20, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, James M. Brantley, James H. Brantley and Southeastern may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Southeastern was a partnership, nominally a limited liability company, wholly owned by James M. Brantley and James H. Brantley; engaged in the business of buying livestock in commerce for the purpose of slaughter; and is a packer.

James M. Brantley is 1% owner and partner; responsible, as a partner with James H. Brantley, for the operations of Southeastern; responsible for the day-to-day management, operation and control of Southeastern; and is a packer subject to the provisions of the P&S Act.

James H. Brantley is 99% owner and partner; responsible, as a partner with James M. Brantley, for the operations of Southeastern; and is a packer subject to the provision of the P&S Act.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 03-12

Contact:
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GIPSA Alleges Claypoole Livestock, Inc., and Timothy J. Claypoole Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Claypoole Livestock, Inc., and Timothy J. Claypoole (the respondents), Clifton, Colo.:

- purchased livestock and failed to pay within the time period required by the Packers and Stockyards (P&S) Act;
- issued checks without having sufficient funds to cover checks; and engaged in business of a dealer buying and selling livestock in commerce and the business of a market agency buying livestock on a commission basis without registering or maintaining an adequate or bond equivalent as required by the P&S Act and the regulations.

GIPSA filed a complaint against the respondents on December 21, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Claypool Livestock, Inc. was engaged in the business of buying and selling livestock in commerce for its own account or for the account of others; engaged in the business of a market agency buying livestock in commerce on a commission basis; and is not registered with the Secretary of Agriculture.

Timothy J. Claypoole was president; director; owner; registered agent; and responsible for the direction, management, and control of Claypoole Livestock, Inc.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 04-12

Contact:
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GIPSA Alleges Glen Ratcliff Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Glen Ratcliff (respondent):

- purchased livestock and failed to pay, within the time period required by the Packers and Stockyards (P&S) Act, for livestock purchases; and
- failed to keep and maintain records which fully and correctly disclosed all of the transactions involved in his business as a dealer.

GIPSA filed a complaint against the respondent on December 21, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

The respondent was engaged in the business of a dealer, buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 05-12

Contact:
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GIPSA Alleges Tyson Farms, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Tyson Farms, Inc. (respondent), Springdale, Ark.:

- placed flocks of birds with poultry growers that were of different breeds- Cobb 500 and Cobb 700;
- settled all flocks in a weekly settlement system such that flock performance was averaged and compared with the performance of flocks from each grower whose birds were slaughtered that week;
- respondent knew and should have known that it was placing genetically different breeds of birds with different growers and settling those growers as part of the same settlement group; and
- unfairly and deceptively compared growers of Cobb 700 birds to growers of Cobb 500 birds, resulting in substantial underpayments to growers whose flocks included Cobb 700 birds.

GIPSA filed a complaint against the respondent on December 20, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the Packers and Stockyards (P&S Act) and assessed a civil penalty.

The respondent was engaged in the business of obtaining live poultry by purchase or under poultry growing arrangements for the purpose of slaughter; shipping processed poultry products in commerce; and operating as a live poultry dealer subject to the provisions of the P&S Act.

P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 06-12

Contact:
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GIPSA Alleges Rick Shannon Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Rick Shannon (respondent), Blocker, Okla.:

- after being notified by a Notice of Default letter that he was operating in commerce and would need to apply for registration and a bond, continued to engage in the business of a market agency buying livestock in commerce on a commission basis or as a dealer buying livestock in commerce for the account of others without filing and maintaining an adequate bond or bond equivalent as required by the Packers and Stockyards (P&S) Act and the regulations;
- places all the fees for the services that he provides under "hauling" on the invoices and he collects a check from the market for these fees;
- fails to keep and maintain records which fully and correctly disclose all the transactions involved in his business; and
- admitted that he does not keep complete records pertaining to his buying activities.

GIPSA filed a complaint against the respondent on December 21, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

The respondent was engaged in the business of a market agency buying livestock in commerce on a commission basis or engaged in the business of a dealer buying livestock in commerce for the account of others; is not registered with the Secretary of Agriculture; and is operating subject to the P&S Act and regulations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock; meat, and poultry industries.



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News Release

Release No.: 07-12

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GIPSA Alleges Nick Pesetsky and Pesetsky Land and Cattle, LLC Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Nick Pesetsky and Pesetsky Land and Cattle, LLC (the respondents):

- failed to pay the full purchase price for livestock and failed to pay, when due, for livestock purchases; and
- engaged in business as a dealer without maintaining an adequate bond or bond equivalent.

GIPSA filed a complaint against the respondents on December 22, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

The respondents were engaged in business as a dealer buying and selling livestock in commerce for its own account; and are not registered with the Secretary of Agriculture.

The P & S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 08-12

Contact:
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GIPSA Alleges Geoffrey S. Martin Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Geoffrey S. Martin, (Martin), after notification by the Packers and Stockyards Program, continued to buy livestock in commerce on a commission basis without being registered and maintaining an adequate bond as required by Packers and Stockyards (P&S) Act and regulations.

GIPSA filed a complaint against Martin on December 22, 2011. The complaint can be found on the GIPSA website.

If the allegations are admitted, or proven in an oral hearing, Martin may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Martin is engaged in the business of buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 08-12

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GIPSA Alleges Geoffrey S. Martin Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Geoffrey S. Martin, (Martin), after notification by the Packers and Stockyards Program, continued to buy livestock in commerce on a commission basis without being registered and maintaining an adequate bond as required by Packers and Stockyards (P&S) Act and regulations.

GIPSA filed a complaint against Martin on December 22, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, Martin may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Martin is engaged in the business of buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 09-12

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USDA Orders Ark-Mo Livestock Auction, LLC, Kent E. O'Neal and Janet L. O'Neal to Cease and Desist

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Ark-Mo Livestock Auction, LLC, Kent E. O'Neal and Janet L. O'Neal, Harviell, Mo. (the respondents), on January 6, 2012. The respondents have been ordered to cease and desist from:

- failing to maintain and properly use their custodial account for shippers' proceeds;
- purchasing livestock and failing to pay, within the time period required by the Packers and Stockyards (P&S) Act, the full purchase price for livestock.
- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit and available in the account upon which they are drawn.

The respondents are not to be registered to engage in any business subject to the P&S Act for a period of 5 years.

The consent decision resolves charges that were filed on December 13, 2011, in which GIPSA alleged that the respondents:

- had current liabilities that exceeded their assets;
- failed to maintain and properly use their custodial account for shippers' proceeds;
- sold livestock on a commission basis in commerce and deposited the proceeds into their general account and failed to reimburse their custodial account;
- issued checks that were returned unpaid after transferring money from their general account into their custodial account;
- issued checks drawn from their custodial account for purposes other than what their custodial account is to be used for; and
- purchased livestock and failed to pay, within the time period required by the P&S Act, the full purchase price for livestock.

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News Release

Release No.: 10-12

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GIPSA Alleges Sammy Simmons and Wendy Simmons, dba People's Livestock of Cartersville Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Sammy Simmons and Wendy Simmons (the respondents), doing business as People's Livestock of Cartersville, Cartersville, Ga.:

- issued check to consignors of livestock without having sufficient funds on deposit and available in the accounts from which those checks were drawn;
- failed to pay within the time period required by the Packers and Stockyards (P&S) Act, the net proceeds due from the sale price of those livestock on a commission basis; and
- had outstanding checks drawn on their custodial account and had to offset those checks which resulted in a deficiency.

GIPSA filed a complaint against the respondents on December 21, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Sammy Simmons owned 51% and Wendy Smith owned 49% and acted as an office manager of People's Livestock of Cartersville. Peoples Livestock of Cartersville was registered, with Wendy Simmons, as a market agency selling livestock on commission. Sammy and Wendy Simmons, together were responsible for the day-to-day management, operation, and control of People's Livestock of Cartersville, purchased and sold livestock, sold livestock on commission, and engaged in business as a market agency and dealer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 11-12

Contact:
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GIPSA Alleges Dwight Gregory “Greg” Cox Violated the Packers and Stockyards Act

WASHINGTON, Jan. 12, 2012- The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Dwight Gregory “Greg” Cox (respondent), Urbana, Mo.:

- continued to engage in the business of buying livestock in commerce without registering and without maintaining an adequate bond;
- failed to pay, within the time period required by the Packers and Stockyards (P&S) Act for livestock purchases; and
- issued checks that were returned unpaid by the bank from which they were drawn.

GIPSA filed a complaint against the respondent on November 30, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

The respondent was engaged in the business of a livestock dealer buying and selling livestock in commerce for his own account; and as a market agency buying livestock in commerce on a commission basis; and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 12-12

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Richard L. Reece Has Been Assessed a Civil Penalty In the Amount of \$40,625

WASHINGTON, Jan. 12, 2012-On October 17, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Richard L. Reece (respondent), Adel, Iowa. The respondent has been ordered to cease and desist from:

- purchasing livestock and failing to pay the full purchase price for livestock within the time period required by the P&S Act; and
- failing to pay the full purchase price for livestock.

The respondent has also been assessed a civil penalty in the amount of \$40,625.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 13-12

Contact:
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GIPSA Settles Cases Resulting in \$8,950 in Civil Penalties

WASHINGTON, Jan. 12, 2011- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act.

GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settles cases resulting in \$8,950 in civil penalties.

Craig Lofredo, Production Director, Swine Graphics Enterprises, LLP, Webster City, Iowa - waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,500 after GIPSA found that three swine contracts did not contain the required "Additional Capital Investments Disclosure Statement".

Richard C. Mercer, Laveen, Ariz. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,450 after GIPSA found that he failed to pay when due for livestock and failed to keep true and accurate records.

Ernest R. Gard, Clovis, N.M. --waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that he failed to pay for livestock within the time period required by the P&S Act and failed to maintain adequate records.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 14-12

Contact:
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GIPSA Alleges Steve Lukens Violated the Packers and Stockyards Act

WASHINGTON, Jan. 19, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Steve Lukens (Lukens) purchased livestock in commerce on a commission basis without obtaining a bond or bond equivalent.

GIPSA filed a complaint against Lukens on December 21, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, Lukens may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Lukens was engaged in the business of a market agency buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 15-12

Contact:
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GIPSA Alleges Michael Brent Wagner Violated the Packers and Stockyards Act

WASHINGTON, Jan. 19, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Michael Brent Wagner (Wagner) purchased livestock in commerce on a commission basis without obtaining a bond or bond equivalent.

GIPSA filed a complaint against Wagner on January 9, 2012. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, Wagner may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Wagner was engaged in the business of buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 16-12

Contact:
Catherine M. Grasso, (202) 720-7201
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Victor Peak, Peak Livestock Co., LLC Has Been Assessed a Civil Penalty In the Amount of \$5,250

WASHINGTON, Jan. 19, 2012 – On December 7, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Victor Peak, Peak Livestock Co., LLC, Emporia, Kan.

Victor Peak has been ordered to cease and desist from:

- engaging in business of a dealer without registering with the Secretary of Agriculture or obtaining an adequate bond;
- issuing checks for livestock purchases without having sufficient funds to cover the checks;
- failing to pay the full purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act; and
- failing to pay the full purchase price for livestock.

The respondent has also been suspended for 300 days and thereafter until he complies with terms of an Understanding Regarding Suspension and Civil Penalties. The respondent was also assessed a civil penalty in the amount of \$5,250.

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News Release

Release No.: 17-12

Contact:
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GIPSA Settles a Case Resulting in a \$4,000 Civil Penalty

WASHINGTON, Jan. 19, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$4,000 civil penalty.

Thomas Cattle Buying Services, Inc., Wiliston, Fla. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,000 after GIPSA found that they failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 18-12

Contact:
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Mecca Halal Meat, Inc. Has Paid a Fine for Not Filing Reports with USDA

WASHINGTON, Jan. 31, 2012 – Mecca Halal Meat, Inc. (Mecca Halal) has paid a fine of \$20,000 for not filing, on time, required Annual Reports with the Packers and Stockyards Program of USDA. The U.S. Department of Justice Federal Programs Branch represented USDA and negotiated the Settlement Agreement with Mecca Halal.

All meat packers, live poultry dealers, market agencies and livestock dealers operating under the jurisdiction of the Packers and Stockyards (P&S) Act of 1921 are required by federal regulation to file reports annually. These reports provide critical information that the Grain Inspection, Packers and Stockyards Administration (GIPSA) uses to ensure farmers and ranchers are financially protected when they sell their livestock. Mecca Halal operates as a packer, as defined by the P&S Act.

Mecca Halal was informed of the annual reporting requirements under the P&S Act on numerous occasions. However, Mecca Halal failed to timely file its “Annual Report of Packers” for the calendar year ending December 31, 2007. The Annual Report for that calendar year was due on April 15, 2008, and was not received until March 4, 2009, and was 272 days late as of that date (beginning 30 days from receipt of the Notice of Default received on May 5, 2008).

Mecca Halal also failed to timely file its “Annual Report of Packers” for calendar year ending December 31, 2009. The Annual Report for that calendar year was due on April 16, 2010, was not received until July 21, 2010, and was 51 days late as of that date (beginning 30 days from receipt of the notice of default received on April 30, 2010).

Mecca Halal did not file an Annual Report for 2003 and reports for 2005 and 2006 were filed late.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 19-12

Contact:
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Brad Bradley, dba Farm Direct Pork Company Has Been Assessed a Civil Penalty In the Amount of \$109,000

WASHINGTON, Jan. 26, 2012- On October 18, 2011, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Brad Bradley (Bradley), doing business as Farm Direct Pork Company, Del Rio, Texas.

Bradley has been ordered to cease and desist from:

- engaging in the business of a dealer without obtaining the necessary registration and bond as required by the Packers and Stockyards (P&S) Act; and
- purchasing livestock and failing to pay for those livestock purchases.

Bradley has also been assessed a civil penalty in the amount of \$109,000 to be abated up to the full amount of \$109,000, provided that Bradley makes payments to the livestock seller.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 20-12

Contact:
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Richard Hayes Has Been Suspended as a Registrant

WASHINGTON, Jan. 26, 2012- On January 17, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Richard Hayes (Hayes), Lipan, Texas.

Hayes has been ordered to cease and desist from:

- purchasing livestock and failing to pay the full amount for livestock purchased before the close of the next business day following each purchase of livestock;
- issuing checks without having sufficient funds to cover checks; and
- failing to keep records which fully and correctly disclose all transactions involved in his business as a livestock dealer.

Hayes, under his name or under any and all aliases, is suspended as a registrant and prohibited from registering under the Packers and Stockyards (P&S) Act for a period of 5 years.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 21-12

Contact:
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Jeff Hayes Is Assessed a Civil Penalty in the Amount of \$12,000

WASHINGTON, Jan. 26, 2012- On November 23, 2011, the U.S. Department of Agriculture issued a default decision against Jeff Hayes (Hayes). Hayes has been ordered to cease and desist from:

- operating subject to .the Packers and Stockyards (P&S) Act without registration; and
- failing to pay, when due, the full purchase price for livestock purchases.

Hayes has also been assessed a civil penalty in the amount of \$12,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 22-12

Contact:
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GIPSA Alleges Garden Halal Meat Market, LLC, Mohamed Chitaoui and Fedal Lahsane Violated the Packers and Stockyards Act

WASHINGTON, Jan. 26, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Garden Halal Meat Market, LLC, Mohamed Chitaoui, and Fedal Lahsane (the respondents), Boston, Mass.:

- purchased livestock and failed to pay, within the time period required in the Packers and Stockyards (P&S) Act, the full amount of the purchase price for livestock; and
- failed to keep and maintain corporate records, all purchase and sale invoices, documents permitting the tracing of livestock from purchase through slaughter, and documents permitting the tracing of all payments made for livestock purchases involved in its business as a packer.

GIPSA filed a complaint against the respondents on December 9, 2011. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Garden Halal Meat Market, LLC is a Massachusetts limited liability company whose registered agent in Massachusetts is Mohamed Chitaoui. Garden Halal Meat Market, LLC was engaged in the business of purchasing livestock in commerce for purposes of slaughter and a packer subject to the provisions of the P&S Act.

At the time of the alleged violations, Mohamed Chitaoui and Fedal Lahsane collectively owned 100% of Garden Halal Meat Market, were members of the LLC, and were responsible for the direction, management, and control of Garden Halal Meat, LLC.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 23-12

Contact:
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GIPSA Alleges Pamela Hill and John Clark, dba Tri-State Livestock Violated the Packers and Stockyards Act

WASHINGTON, Jan. 26, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Pamela Hill (Hill) and John Clark (Clark), doing business as Tri-State Livestock, Texhoma, Okla.:

- bought and sold livestock in commerce without being registered with the Secretary and without maintaining an adequate or bond equivalent;
- issued checks without having sufficient funds to cover such checks;
- failed to pay the full amount of livestock purchase prices; and
- failed to pay, when due, the full amount of the livestock purchase prices within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Hill and Clark on January 19, 2012. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, Hill and Clark may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Hill and Clark were engaged in the business of a dealer buying and selling livestock in commerce and are not registered with the Secretary of Agriculture.

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News Release

Release No.: 24-12

Contact:
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GIPSA Alleges Gary N. Shifflett, Jr., dba Nelson Shifflett Livestock Violated the Packers and Stockyards Act

WASHINGTON, Jan. 26, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gary N. Shifflett, Jr. (Shifflett), doing business as Nelson Shifflett Livestock:

- failed to pay the full purchase price for livestock;
- failed to pay, when due, for livestock purchases; and
- issued checks without having sufficient funds to cover such checks.

GIPSA filed a complaint against Shifflett on January 19, 2012. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, Shifflett may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Shifflett was engaged in the business of a dealer buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

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News Release

Release No.: 25-12

Contact:
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GIPSA Settles a Case Resulting in a \$500 Civil Penalty

WASHINGTON, Jan. 26, 2012- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act.

GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$500 civil penalty.

JEM Livestock, Inc., and Lance Fischbach, Morris, Minn. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that they used inaccurate weights.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 26-12

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Richard Hale Violated a Cease and Desist Order

WASHINGTON, Feb. 2, 2012 – On May 20, 2010, Richard Hale, Twin Falls, Idaho, was ordered to cease and desist from failing to pay, when due, the full purchase price of livestock.

The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) have found new evidence that Richard Hale continues to purchase livestock and makes payment 5 to 21 days late.

GIPSA filed a complaint against Richard Hale on January 25, 2012. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, Richard Hale may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Richard Hale was a dealer, engaged in the business of buying and selling livestock in commerce, either on his own account or as the agent of the vendor or purchaser and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 27-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges The Smithfield Packing Company, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Feb. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that The Smithfield Packing Company, Inc. (Smithfield), Smithfield, Va.:

- used an inaccurate scale to obtain hot carcass weights at its Smithfield, Va., facility on August 19, 2008, paying producers for those livestock based on the resulting weights;
- used an inaccurate scale to obtain hot carcass weights at its Tar Heel, N.C., facility on March 10, 2009, and March 9, 2011; and
- did not maintain a complete set of calibrated test weights necessary to properly test the accuracy of the scales at its Tar Heel, N.C., facility.

GIPSA filed a complaint against Smithfield on January 20, 2012. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, Smithfield may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Smithfield was engaged in the business of buying livestock in commerce for the purpose of slaughter and manufacturing or preparing meats or meat products for sale or shipment in commerce and is a packer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 28-12

Contact:
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GIPSA Alleges Richard Hunter, dba H&H Farms Violated the Packers and Stockyards Act

WASHINGTON, Feb. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Richard Hunter, doing business as H&H Farms:

- failed to properly maintain and properly use his custodial account for shippers’ proceeds;
- operated with shortages in his custodial account;
- failed to deposit into the custodial account an amount equal to the proceeds from the sale of consigned livestock within the time period prescribed in the regulations; and
- failed to keep and maintain records which fully and correctly disclosed all the transactions involved in his business as a market agency.

GIPSA filed a complaint against Richard Hunter on January 25, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Richard Hunter may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

The respondent was engaged in business as a dealer, buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture. The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 29-12

Contact:
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GIPSA Alleges JLA, LLC, dba Marshall Livestock Auction and Carey Jones Violated the Packers and Stockyards Act

WASHINGTON, Feb. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that JLA (JLA), LLC, doing business as Marshall Livestock Auction and Carey Jones (Jones), Marshall, Mo.:

- failed to properly maintain its Custodial Account for Shippers’ Proceeds endangering the faithful and prompt accounting and the payment of portions due to the owners or consignors of livestock;
- failed to deposit in its custodial account amounts equal to the proceeds receivable from the sale of consigned livestock; whether or not such proceeds had been collected by the market agency; and
- misused its custodial account by: (1) using custodial funds to repay a line of credit; (2) transferring custodial funds to its general account; and (3) permitting the deduction of bank charges from the custodial account by withdrawing funds for a purpose other than for payment of the net proceeds to the consignor or shipper, or to any person that the market agency knows is entitled to payment, to pay lawful charges against the consignment of livestock which the market agency shall, in its capacity as agent, be required to pay, or to obtain any sums due the market agency as compensation for its services.

GIPSA filed a complaint against JLA and Jones on January 20, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, JLA and Jones may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

JLA was engaged in the business of a market agency selling livestock in commerce on a commission basis and is registered with the Secretary of Agriculture.

Jones was 50% owner of JLA and responsible for the day-to-day management, direction, and control of JLA.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 30-12

Contact:
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GIPSA Alleges Albert J. Huizenga and Aaron M. Lancaster, dba Beefco Violated the Packers and Stockyards Act

WASHINGTON, Feb. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Albert J. Huizenga (Huizenga) and Aaron M. Lancaster (Lancaster), doing business as Beefco:

- failed to pay, when due, the full amount of livestock purchased; and
- issued checks in payment for livestock that were returned for non-sufficient funds.

GIPSA filed a complaint against Huizenga and Lancaster on January 25, 2012. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the Huizenga and Lancaster may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Huizenga and Lancaster, doing business as Beefco engaged in the business of a livestock dealer buying and selling livestock in commerce for its own account and are registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 31-12

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Lloyd Nash Violated the Packers and Stockyards Act

WASHINGTON, Feb. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Lloyd Nash (Nash), Cookeville, Tenn., purchased livestock and failed to pay the full purchase price for the livestock within the time period required by the Packers and Stockyards (P&S) Act, the full purchase price for the livestock.

GIPSA filed a complaint against Nash on January 10, 2012. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, the Nash may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Nash was engaged in the business of buying and selling livestock in commerce for his own account or the account of others as a dealer or as a market agency buying on commission and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 32-12

Contact:
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Welch Stockyards, LLC and Darrel R. Clark Are Assessed a Civil Penalty in the Amount of \$77,500

WASHINGTON, Feb. 2, 2012 – On January 18, 2012, the U.S. Department of Agriculture issued a default decision against Welch Stockyards, LLC (Welch Stockyards) and Darrel R. Clark (Clark), Seneca, Mo. Welch Stockyards and Clark have been ordered to cease and desist from:

- using funds received from the sale of consigned livestock for any purpose other than payment to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges, including the payment of outstanding loans; and the payment of bank charges;
- issuing custodial account checks without having sufficient funds to pay the checks when presented for payment;
- failing to timely remit the net proceeds of livestock sales; and
- failing to remit, when due, the proceeds of livestock sales.

Welch Stockyards and Clark are suspended as registrants for a period of 5 years and have also been assessed a civil penalty in the amount of \$77,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 33-12

Contact:
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American Beef Company, LLC and Vincent J. Paletta Have Been Assessed a Civil Penalty In the Amount of \$36,000

WASHINGTON, Feb. 2, 2012 – On January 20, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with American Beef Company, LLC (American Beef) and Vincent J. Paletta (Paletta), Rockville, Mo.

American Beef and Paletta have been ordered to cease and desist from:

- engaging in operations subject to Packers and Stockyards (P&S) Act without maintaining an adequate bond; and
- failing to pay the full purchase price for livestock within the time period required by the P&S Act.

American Beef and Paletta have been assessed a civil penalty in the amount of \$36,000, \$1,000 which will be paid immediately, and \$35,000 which will be held in abeyance for 5 years from the date of this consent decision.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 34-12

Contact:
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GIPSA Settles a Case Resulting in a \$2,000 Civil Penalty

WASHINGTON, Feb. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$2,000 civil penalty.

Jerry Olson, Mary Olson, and LJL Cattle Company, LLC, Three Forks, Mont. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that they failed to issue timely payment and engaged in unfair and deceptive practices.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 35-12

Contact:
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GIPSA Alleges Big Dan's Trucking, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Feb. 9, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Big Dan's Trucking, Inc. (the respondent), Altura, Minn.:

- purchased cattle on estimated carcass weights, rather than actual carcass weights;
- purchased cattle on false carcass weights; and
- failed to make timely payment for livestock purchases.

GIPSA filed a complaint against the respondent on January 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

The respondent was engaged in the business of buying and selling livestock in commerce and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 36-12

Contact:
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GIPSA Alleges Doyle Harms, dba Harms Livestock Violated the Packers and Stockyards Act

WASHINGTON, Feb. 9, 2012 – In a September 17, 2008, consent decision Doyle Harms (Harms), doing business as Harms Livestock, Redfield, S.D. was ordered to cease and desist from failing to pay, when due, the full purchase for livestock.

Subsequent to that consent decision, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Harms continues:

- issuing checks for livestock purchases without having sufficient funds to cover the checks; and
- failed to pay, when due, the full purchase price for livestock purchases.

GIPSA filed a complaint against Harms on January 19, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Harms may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty. Harms was engaged in the business of buying and selling livestock in commerce for his own account and buying livestock in commerce on a commission basis and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 37-12

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Alleges Tony Wells, dba Tony Wells Livestock Violated the Packers and Stockyards Act

WASHINGTON, Feb. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) have found evidence that Tony Wells (Wells), doing business as Tony Wells Livestock, Wilmar, Ark.:

- purchased livestock without having sufficient funds to pay for the livestock purchased and
- failed to pay, when due, the full purchase price for livestock purchases.

GIPSA filed a complaint against Wells on December 12, 2011. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Wells may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty. Wells was engaged in the business of a livestock dealer buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

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News Release

Release No.: 38-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Golden West Cattle Co., LLC, and Michael Kastner Violated the Packers and Stockyards Act

WASHINGTON, Feb. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration has found evidence that Golden West Cattle Co., LLC (Golden West), and Michael Kastner (Kastner), Colorado Springs, Colo.:

- issued checks in payment for livestock purchases without having the funds to cover the checks; and
- purchased livestock and failed to pay the full purchase price for the livestock within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Golden West and Kastner on January 26, 2012. The complaint can be found on the GIPSA website. If the allegations are admitted, or proven in an oral hearing, Golden West and Kastner may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Golden West was engaged in the business of buying livestock in commerce for the purpose of slaughter, and manufacturing or preparing meats or meat products for sale or shipment in commerce and is a packer.

Kastner was 100% owner, president, and responsible for the direction, management, and control of Golden West. He is also a packer and subject to the provisions of the P&S Act and the alter-ego of Golden West.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 39-12

Contact:
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GIPSA Alleges Hatch Auction, Inc., dba Cow House Auction And Raymond L. Hatch Violated the Packers and Stockyards Act

WASHINGTON, Feb. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Hatch Auction, Inc. (Hatch Auction), doing business as Cow House Auction and Raymond L. Hatch (Raymond Hatch), Fruitland, N.M.:

- failed to properly maintain and properly use their custodial account for shippers’ proceeds;
- operated with shortages in their custodial account;
- failed to deposit into the account an amount equal to the proceeds from the sale of consigned livestock within the time period prescribed in the regulations; and
- failed to keep and maintain records which fully and correctly disclosed all the transactions involved in its business as a market agency.

GIPSA filed a complaint against Hatch Auction and Raymond Hatch on January 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Hatch Auction and Raymond Hatch may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Hatch Auction also operates as Cow House Auction. Hatch Auction under the direction, management, and control of Raymond Hatch was engaged in the business of conducting and operating an auction market posted under and subject to the provisions of the P&S Act; engaged in the business of a market agency selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture. Raymond Hatch is co-owner of Hatch Auction and is responsible for the day-to-day direction, management, and control of Hatch Auction including the acts and practices referred to in this complaint.

P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 40-12

Contact:
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GIPSA Alleges Karnes City Auction, Inc., Brian Morris and Ronald Morris Violated the Packers and Stockyards Act

WASHINGTON, Feb. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Karnes City Auction, Inc. (Karnes City), Brian Morris and Ronald Morris, Karnes City, Texas:

- failed to reimburse their custodial account by the seventh day for all unpaid buyer purchases;
- failed to reimburse their custodial account by the close of the next business day for livestock purchases by owners, officers or employees;
- charged bank fees to their custodial account; and
- had shortages in their custodial account which were due, in part, to the misuse of their custodial account by using custodial account funds to make payments on the line of credit.

GIPSA filed a complaint against Karnes City, Brian Morris, and Ronald Morris on January 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Karnes City, Brian Morris, and Ronald Morris may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Karnes City was engaged in the business of a market agency selling livestock in commerce on a commission basis and is registered with the Secretary of Agriculture.

Brian Morris was director; president; 55% owner of Karnes City; and with Ronald Morris is responsible for the direction, management, and control of Karnes City.

Ronald Morris was director; secretary and treasurer; 45% owner of Karnes City; and with Brian Morris is responsible for the direction, management, and control of Karnes City.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 41-12

Contact:
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GIPSA Orders Jeffrey H. Auerbach to Pay a Civil Penalty in the Amount of \$75,000

WASHINGTON, Feb. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Jeffrey H. Auerbach (Auerbach), on January 26, 2012. Auerbach has been ordered to cease and desist from:

- failing to pay and failing to pay, when due, the full purchase price of livestock; and
- engaging in business in any capacity for which a bond is required without filing and maintaining an adequate bond.

Auerbach has also been assessed a civil penalty in the amount of \$75,000. The entire amount of the civil penalty will be held in abeyance and will terminate after a period of five years beginning on the date that this Order becomes final and effective, provided Auerbach complies with the terms of this Order.

The consent decision resolves charges that were filed on January 6, 2012, in which GIPSA alleged that, Auerbach:

- purchased livestock and failed to pay within the time period required by the Packers and Stockyards (P&S) Act, the full purchase price for the livestock;
- engaged in the business of a packer purchasing livestock in commerce without maintaining a bond or bond equivalent;
- extended payment terms without obtaining written credit agreements with formal trust waivers from livestock sellers; and
- as of the date of this complaint, respondent owed \$114,589.23 to livestock sellers.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 42-12

Contact:
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GIPSA Alleges Clausen Meat Packing, Inc., Michelle Tsao, and Kenneth Khoo Violated the Packers and Stockyards Act

WASHINGTON, Feb. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Clausen Meat Packing, Inc. (Clausen), Michelle Tsao (Tsao), and Kenneth Khoo (Khoo), Turlock, Calif., failed to pay, when due, the full purchase price for livestock.

GIPSA filed a complaint against Clausen, Tsao and Khoo on January 27, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Clausen, Tsao and Khoo may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Tsao and Khoo each owned 50% of Clausen and they were jointly responsible for the direction, management, and control of Clausen. Clausen engaged in the business of buying livestock in commerce for the purposes of slaughter; manufactured or prepared meat and meat food products for sale or shipment in commerce; had average annual purchases of livestock exceeding \$500,000; and operated as a packer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 43-12

Contact:
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GIPSA Alleges Darlington Livestock Market, Inc. and Robert B. Robeson Violated the Packers and Stockyards Act

WASHINGTON, Feb. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Darlington Livestock Market, Inc. (Darlington Livestock) and Robert B. Robeson (Robeson), Darlington, S.C.:

- failed to maintain his livestock scale so as to insure accurate weights;
- weighed livestock at other than their true and correct weights;
- paid sellers of the livestock on the basis of the false and incorrect weights; and
- issued accounts of purchase to the sellers of the livestock on the basis of the false and incorrect weights.

GIPSA filed a complaint against Darlington Livestock and Robeson on January 10, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Darlington Livestock and Robeson may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Darlington Livestock under the direction, management, and control of Robeson is, and at all times was engaged in the business of conducting and operating Darlington Livestock a stockyard posted under and subject to the provisions of the P&S Act; engaged in the business of selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

Robeson is the owner and President of Darlington Livestock and formulated, directed, and controlled the policies, practices and activities of Darlington Livestock including the acts and practices alleged in this complaint. He is also engaged in the business of a market agency selling livestock on a commission basis in commerce.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 44-12

Contact:
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GIPSA Alleges Nebraska Beef, Ltd. Violated the Packers and Stockyards Act

WASHINGTON, Feb. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Nebraska Beef, Ltd.:

- failed to maintain and operate an accurate scale for the purpose of determining livestock carcass weights at respondent’s slaughter facility in Omaha, Nebraska;
- failed to meet applicable tolerances for dynamic monorail scales established by the National Institute of Standards and Technology (NIST); and
- failed to pay for livestock based on accurate or correct weights.

GIPSA notified Nebraska Beef, Ltd. after testing the monorail scale, that the test determined that it exceeded the allowable tolerances set by NIST and was notified of its obligation to correct its business practices. GIPSA retested the respondent’s dynamic monorail scale on the kill floor and again the dynamic monorail scale, which continued to be used to determine hot carcass weights, failed to meet applicable NIST accuracy tolerances.

GIPSA filed a complaint against Nebraska Beef, Ltd. on December 29, 2011. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Nebraska Beef, Ltd. may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Nebraska Beef, Ltd. was engaged in the business of buying livestock in commerce for the purposes of slaughter and is a packer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 45-12

Contact:
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Whispering Oaks Farms, LLC and Mike D. Esther Have Been Assessed a Civil Penalty In the Amount of \$1,000

WASHINGTON, Feb. 9, 2012 – On January 25, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Whispering Oaks Farms, LLC (Whispering Oaks) and Mike D. Esther (Esther), Lebanon, Mo.

Whispering Oaks and Esther have been ordered to cease and desist from engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act without filing and maintaining an adequate bond.

Whispering Oaks and Esther have been assessed a civil penalty in the amount of \$1,000.

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News Release

Release No.: 46-12

Contact:
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Vander Boon Livestock, Inc. is Assessed A Civil Penalty In the Amount of \$3,750

WASHINGTON, Feb. 9, 2012 – On February 2, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Vander Boon Livestock, Inc. (Vander Boon), Clarksville, Mich.

Vander Boon has been ordered to cease and desist from engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act without filing and maintaining an adequate bond.

Vander Boon has been assessed a civil penalty in the amount of \$3,750.

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News Release

Release No.: 47-12

Contact:
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Stonnie Sullivan to Pay Fine of \$15,000 for Operating as a Dealer without Being Registered with the Secretary of Agriculture

WASHINGTON, Feb. 9, 2012 – On January 27, 2012, a Consent Decree was entered into between The United States Department of Justice, Federal Programs Branch and the Assistant Attorney General for the Western District of Kentucky, on behalf of the Secretary of Agriculture and Stonnie Sullivan.

Stonnie Sullivan has been ordered to pay a \$15,000 civil penalty for engaging in business as a dealer without being registered and maintaining a bond.

Stonnie Sullivan is permanently enjoined from engaging in business in any capacity for which registration and bonding are required under the Packers and Stockyards (P&S) Act without being registered with the Secretary of Agriculture and maintaining an adequate bond as required by the P&S Act and regulations.

The Packers and Stockyards Program regulates the conduct of packers, swine contractors, live poultry dealers, stockyard owners, market agencies, and dealers and requires that any dealer who engages in business that is subject to the P&S Act be registered and bonded.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 48-12

Contact:
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GIPSA Settles a Case with Jason Weeks Resulting in a \$2,000 Penalty

WASHINGTON, Feb.9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Jason Weeks, Evant, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he operated as a market agency buying on commission without a bond.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 49-12

Contact:
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GIPSA Settles a Case with Phillip Hill, dba Hidden Valley Farms Resulting in a \$1,500 Penalty

WASHINGTON, Feb.9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Phillip Hill, dba Hidden Valley Farms, Moulton, Ala. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that he failed to issue timely payment and engaged in unfair and deceptive practices.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 50-12

Contact:
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Glen Ratcliff Has Been Suspended as a Registrant

WASHINGTON, Feb. 17, 2012 – On January 23, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Glen Ratcliff.

Glen Ratcliff has been ordered to cease and desist from:

- purchasing livestock and failing to pay for the livestock within the time period required by the Packers and Stockyards (P&S) Act; and
- failing to keep and maintain accounts, records, and memoranda which fully and accurately disclose the true nature of his operations.

Glen Ratcliff has been suspended as a registrant for five years. If he shows full compliance with the P&S Act, any time after a year, a supplemental order may be issued terminating his suspension.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 51-12

Contact:
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Kopp's Turkey Sales, Inc., dba Kopp's Turkeys, Inc. and Kevin Kopp Have Been Assessed a Civil Penalty in the Amount of \$10,000

WASHINGTON, Feb. 17, 2012 – On February 9, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Kopp's Turkey Sales, Inc. (Kopp's Turkey), doing business as Kopp's Turkeys, Inc., and Kevin Kopp, Harrison, Ohio.

Kopp's Turkey and Kevin Kopp have been ordered to cease and desist from failing to pay and failing to pay, when due, the full purchase price of live poultry.

They have also been assessed a civil penalty in the amount of \$10,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 52-12

Contact:
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GIPSA Settles a Case with Cattlemen's Livestock Market, LLC Resulting in a \$3,000 Penalty

WASHINGTON, Feb. 17, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Cattlemen's Livestock Market, LLC, Rockfield, Ky. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that they misused their custodial account and had custodial account shortages.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 53-12

Contact:
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GIPSA Settles a Case with Troy Siebels, Siebels Cattle, Inc. Resulting in a \$1,000 Penalty

WASHINGTON, Feb. 17, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Troy Siebels, Siebels Cattle, Inc., Stamford, Neb. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that they failed to render accurate accounting for purchases on order and used unfair, discriminatory, or deceptive practices.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 54-12

Contact:
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GIPSA Settles a Case with Darol Hartzler, Hartzler Dairy Cattle Company Resulting in a \$3,265 Penalty

WASHINGTON, Feb. 17, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Darol Hartzler, Hartzler Dairy Cattle Company, Smithville, Ohio -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,265 after GIPSA found that they failed to issue timely payment for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 55-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles a Case with Greater Omaha Packing Co., Inc. Resulting in a \$24,750 Penalty

WASHINGTON, Feb. 23, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Greater Omaha Packing Co., Inc., Omaha, Neb. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$24,750 after GIPSA found that on June 30, 2009, Greater Omaha used a scale to weigh beef carcasses that recorded inaccurate or incorrect weights on scale tickets, internal records, and kill sheets or other accounting issued to seller of livestock. Greater Omaha was notified of such violation and immediately made adjustments as evidenced in a subsequent passing scale test. Greater Omaha agrees to maintain using a scale that records accurate and correct weights on scale, internal records, and kill sheets or other accounting issued to sellers of livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 56-12

Contact:
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GIPSA Settles a Case with David Bosen, dba Gold Wing Cattle Company Resulting in a \$2,000 Penalty

WASHINGTON, Feb. 23, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

David Bosen, dba Gold Wing Cattle Company, Preston, Idaho -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he failed to issue timely payment for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 57-12

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Settles a Case with Mike Lotz Resulting in a \$1,300 Penalty

WASHINGTON, Feb. 23, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Mike Lotz, Edna, Kan. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,300 after GIPSA found that he failed to pay when due for livestock.

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News Release

Release No.: 58-12

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Steven Demarest, Brenda Demarest, P. Scott Baldwin, and Deborah Baldwin, dba Wyalusing Livestock Market Violated the Packers and Stockyards Act

WASHINGTON, Mar. 8, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) have found evidence that Steven Demarest, Brenda Demarest, P. Scott Baldwin, and Deborah Baldwin (the respondents), doing business as Wyalusing Livestock Market, Wyalusing, Pa.:

- failed to properly use and maintain their custodial account by failing to deposit into their custodial account an amount equal to the proceeds receivable from the sale of consigned livestock resulting in custodial account shortages at Wyalusing Livestock Market endangering the prompt accounting of shippers’ proceeds and the payments due to the owners of consignors of livestock; and
- failed to keep and maintain records which fully and accurately disclosed the true nature of their operations subject to the Packers and Stockyards (P&S) Act and failed to keep and maintain custodial account reconciliations with outstanding check lists.

GIPSA filed a complaint against the respondents on February 17, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

The respondents were engaged in the business of a market agency selling consigned livestock in commerce on a commission basis and are not currently registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 59-12

Contact:
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GIPSA Alleges David Mosner, Inc., Violated the Packers and Stockyards Act

WASHINGTON, Mar. 8, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that David Mosner, Inc. (Mosner), Bronx, N.Y.:

- purchased livestock and failed to pay, when due, the full purchase price for the livestock purchased; and
- removed kidneys and kidney fat from veal calve carcasses before weighing without informing the sellers.

GIPSA filed a complaint against Mosner on February 17, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Mosner may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Mosner was engaged in the business of buying livestock in commerce for the purposes of slaughter and manufacturing or preparing meats or meat products for sale or shipment in commerce and operating as a packer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 60-12

Contact:

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GIPSA Alleges Thomas Kinderknecht, Barbara Kinderknecht and Quinter Livestock, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Mar. 8, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Thomas Kinderknecht, Barbara Kinderknecht, and Quinter Livestock, Inc. (the respondents), Park, Kan.:

- failed to properly maintain their custodial account in that their custodial account had shortages; and
- these shortages were due, in part, to the respondent’s failure to deposit into its custodial accounts an amount equal to the proceeds receivable from the sale of consigned livestock and to the withdrawal of bank charges from their custodial account.

GIPSA filed a complaint against the respondents on February 22, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

The respondents were engaged in the business of a market agency selling livestock on a commission basis and are registered with the Secretary of Agriculture.

Thomas Kinderknecht was president and 50% co-owner of Quinter Livestock, Inc. and responsible, jointly with Barbara Kinderknecht, for the day-to-day management, direction, and control of Quinter Livestock, Inc.

Barbara Kinderknecht was secretary and treasurer and 50% co-owner of Quinter Livestock, Inc., and responsible, jointly with Thomas Kinderknecht, for the day-to-day management, direction, and control of Quinter Livestock, Inc.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 61-12

Contact:
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GIPSA Alleges Bruce Medley, dba B&M Livestock, Violated the Packers and Stockyards Act

WASHINGTON, Mar. 8, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Bruce Medley (respondent), doing business as B&M Livestock:

- purchased livestock in commerce and failed to pay, when due, the full purchase price for the livestock; and
- as of the date of this complaint, owes a total of \$59,610.47 for livestock purchases.

GIPSA filed a complaint against the respondent on January 9, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

The respondent was engaged in the business of a livestock dealer buying and selling livestock in commerce for his own account; engaged in the business of a market agency buying livestock on a commission basis in commerce; and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 62-12

Contact:
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Fred J. Berger, Ltd., dba Berger Cattle Company, and Fred J. Berger Have Been Assessed a Civil Penalty In the Amount of \$14,000

WASHINGTON, Mar. 8, 2012 – On February 27, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Fred J. Berger, Ltd., doing business as Berger Cattle Company and Fred J. Berger (the respondents), Mandan, N.D.

The respondents were ordered to cease and desist from failing to pay livestock sellers or their duly authorized representatives the full amount of the purchase price for livestock before the close of the next business day following each purchase of livestock.

To the extent they seek to enter into credit agreements with livestock sellers, the respondents were ordered to:

- ensure that all credit agreements are in writing, contain the effective date of the agreement, specify when and how the agreement may be terminated or revoked, are acknowledged and signed by the seller of livestock, include the date(s) of signing, and are in effect before the date of the livestock transaction for which respondents seek the extension of credit;
- disclose all credit agreements in their records and retain the credit agreements for such time as required by any law, or by written notice served on respondents by the GIPSA Administrator, but not less than two calendar years from the date of expiration;
- provide GIPSA with access to all credit agreements, upon request; and
- provide the GIPSA's Midwestern Regional Office (MRO) with copies of all of respondents' credit agreements in effect on or before the effective date of this Order, and provide an updated list or copies of all of respondents' current credit agreements to the MRO at specified intervals until September 1, 2013.

The respondents were also assessed a civil penalty in the amount of \$14,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 63-12

Contact:
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T&J Meat Packing, Inc. Has Been Assessed a Civil Penalty In the Amount of \$8,000

WASHINGTON, Mar. 8, 2012 – On February 16, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with T&J Meat Packing, Inc. (T&J), Chicago Heights, Ill.:

T&J has been ordered to cease and desist from failing to pay livestock dealers the full amount of the purchase price for livestock before the close of the next business day following each purchase of livestock.

T&S has also been ordered to keep records that fully and accurately disclose all transaction involved in its business.

T&J has been assessed a civil penalty in the amount of \$8,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 64-12

Contact:
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Big Dan's Trucking, Inc. Has Been Assessed a Civil Penalty In the Amount of \$2,500

WASHINGTON, Mar. 8, 2012 – On February 22, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Big Dan's Trucking, Inc. (the respondent), Altura, Minn.:

The respondent has been ordered to cease and desist from:

- purchasing livestock on the basis of estimated or false weights; and
- purchasing livestock and failing to pay for livestock within the time period required by the Packers and Stockyards (P&S) Act.

The respondent has been assessed a civil penalty in the amount of \$2,500.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 65-12

Contact:
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GIPSA Settles a Case with Kenneth Wheelless Resulting in a \$2,600 Penalty

WASHINGTON, Mar. 8, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Kenneth Wheelless, Ozark, Ark. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,600 after GIPSA found that he failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 66-12

Contact:
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GIPSA Settles a Case with Jim Hull Resulting in a \$500 Penalty

WASHINGTON, Mar. 8, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Jim Hull, London, Ohio -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that he failed to pay, when due, for livestock.

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News Release

Release No.: 67-12

Contact:
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GIPSA Alleges Sugarcreek Livestock Auction, Inc. and Leroy H. Baker, Jr. Violated the Packers and Stockyards Act

WASHINGTON, Mar. 8, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Sugarcreek Livestock Auction, Inc., Sugarcreek, Ohio and Leroy H. Baker (the respondents), East Rochester, Ohio:

- failed to maintain and properly use its custodial account for shippers’ proceeds, causing shortages in the account;
- failed to deposit in the custodial account, within the time prescribed, an amount equal to the proceeds receivable for sales of consigned livestock;
- permitted approximately \$7,350 in bank fees to be charged to their custodial account, due in part to the respondent’s use of shippers’ funds in the custodial account;
- Sugarcreek Livestock Auction, Inc. was insolvent (its current liabilities exceeding its current assets);
- failed to keep and maintain records that fully and correctly disclosed all transactions involved in the business; and
- failed to pay, when due, the full purchase price for livestock.

GIPSA filed an amended complaint against the respondents on February 22, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Sugarcreek Livestock Auction, Inc. under the direction, management and control of Leroy H. Baker, Jr., was engaged in the business of conducting and operating Sugarcreek Livestock Auction, Inc., a posted stockyard subject to the P&S Act; a market agency buying and selling livestock on a commission basis in commerce; a dealer buying and selling livestock in commerce; and is registered with the Secretary of Agriculture.

Leroy H. Baker, Jr., was president of Sugarcreek Livestock Auction, Inc., owner of 80% of the stock issued by Sugarcreek Livestock Auction, Inc., and responsible for the direction, management and control of Sugarcreek Livestock Auction, Inc.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 68-12

Contact:
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Kensal Farmers Elevator Company Pays \$17,000 Penalty to Settle USDA Charges

WASHINGTON, Mar. 12, 2012 – Kensal Farmers Elevator Company (Kensal Farmers), Kensal N.D., agreed to pay a \$17,000 civil penalty to settle an enforcement action brought by the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA).

Kensal Farmers was charged with deceptively loading 17-railcars of soybeans and causing the issuance of false official grain inspection certificates. Such action is a violation of the United States Grain Standards Act (USGSA), 7 U.S.C. 87b.

The complaint filed against Kensal Farmers was the result of an investigation conducted by GIPSA under the authority of the USGSA. The USGSA provides for the establishment of U.S. grain standards, and for the official inspection and weighing of grain shipped on domestic and foreign commerce.

GIPSA facilitates the marketing of livestock, poultry, meat, cereals, oilseeds, and related agricultural products, and promotes fair and competitive trading practices for the overall benefit of consumers and American agriculture.



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News Release

Release No.: 69-12

Contact:
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Josephine E. Bonaccurso, Inc., dba Salem Packing Co., and Samuel Bonaccurso Have Been Assessed a Civil Penalty In the Amount of \$19,500

WASHINGTON, Mar. 15, 2012 – On February 28, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Josephine E. Bonaccurso, Inc., doing business as Salem Packing Co., and Samuel Bonaccurso (the respondents), Salem, N.J.

The respondents have been ordered to cease and desist from:

- purchasing livestock except under the condition that they must deliver to the seller or his duly authorized representative the full amount of the purchase by payment in United States currency, certified check, or by wire transfer before the close of the next business day following the purchase of livestock and transfer of possession, and such condition shall continue until application of the Packers and Stockyards Program for a supplemental order modifying the condition; and
- failing to pay, when due, the full amount of the purchase price for livestock.

They have been assessed a civil penalty in the amount of \$19,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 70-12

Contact:
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GIPSA Settles a Case with J. Randy Carson Resulting in a \$3,000 Penalty

WASHINGTON, Mar. 15, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

J. Randy Carson, Abilene Auction, Inc., Abilene, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that he had shortages in his custodial account.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 71-12

Contact:
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GIPSA Alleges Bruce Camenzind Violated the Packers and Stockyards Act

WASHINGTON, Mar. 22, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Bruce Camenzind:

- purchased livestock and failed to pay for livestock purchases in a timely fashion; and
- did not have sufficient funds to cover checks that were issued for payment for livestock purchases.

GIPSA filed a complaint against Bruce Camenzind on February 17, 2012. The complaint can be found on the GIPSA Web. If the allegations are admitted, or proven in an oral hearing, Bruce Camenzind may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Bruce Camenzind engaged in the business of a dealer buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 72-12

Contact:
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GIPSA Alleges Robert M. Self Violated the Packers and Stockyards Act

WASHINGTON, Mar. 22, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Robert M. Self (Self):

- bought and sold livestock in commerce as a dealer or market agency without obtaining the necessary registration and bond as required by the Packers and Stockyards (P&S) Act and regulations;
- issued checks in payment for livestock without having sufficient funds to cover checks; and
- failed to pay the full amount of the purchase price for livestock within the time period required by the P&S Act.

GIPSA filed a complaint against Self on January 10, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Self may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Self was engaged in the business of a market agency purchasing livestock in commerce on a commission basis or engaged in the business of buying and selling livestock in commerce; and is not registered with the Secretary of Agriculture (Secretary); and was operating as a dealer or market agency within the jurisdiction of the Secretary.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 73-12

Contact:
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Jantzi & Jantzi, Ltd. Have Been Assessed a Civil Penalty In the Amount of \$7,000

WASHINGTON, Mar. 22, 2012 – On March 7, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Jantzi & Jantzi, Ltd., Sugarcreek, Ohio.

Jantzi & Jantzi, Ltd. have been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock.

They have also be assessed a civil penalty in the amount of \$7,000, \$2,000 of which shall be payable immediately, and \$5,000 of which shall be held in abeyance for 5 years from the date of this consent decision. During this 5 year period, Jantzi & Jantzi, Ltd. may not operate in any capacity that requires bonding with the Packers and Stockyards Program.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 74-12

Contact:
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GIPSA Settles a Case with Wali Mayar, Stockton Livestock Auction Yards Resulting in a \$5,500 Penalty

WASHINGTON, Mar. 22, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Wali Mayar, Stockton Livestock Auction Yards, French Camp, Calif. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$5,500 after GIPSA found that he failed to issue timely payment for livestock and engaged in unfair and deceptive practices..

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 75-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles a Case with Martin Mohr, dba M&O Cattle Resulting in a \$2,000 Penalty

WASHINGTON, Mar. 22, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Martin Mohr, dba M&O cattle, Park City, Mont. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he failed to pay, when due, for livestock invoices in 11 separate transactions.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 76-12

Contact:
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GIPSA Settles a Case with Niman Ranch, Inc., dba Niman Ranch Pork Company, LLC Resulting in a \$5,000 Penalty

WASHINGTON, Mar. 22, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Niman Ranch, Inc., dba Niman Ranch Pork Company, LLC, Sioux Center, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$5,000 after GIPSA found that they failed to disclose the production contract grower right to cancel, failed to include the required disclosure of additional capital investment in production contracts; and failed to include a provision that allows a producer or grower to decline the requirement to use arbitration.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 77-12

Contact:
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GIPSA Settles a Case with Ed DeYoung and Lynn Zandbergen, dba E.Z. Calf Company Resulting in a \$1,000 Penalty

WASHINGTON, Mar. 22, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Ed De Young and Lynn Zandbergen, dba E.Z. Calf Company, Hudsonville, Mich. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that they failed to issue timely payment and engaged in unfair and deceptive practices.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries



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News Release

Release No.: 78-12

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Settles a Case with Robert Jones, Robert W. Jones, dba Jones Livestock Resulting in a \$2,000 Penalty

WASHINGTON, Mar. 22, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Robert J. Jones, Robert W. Jones, dba Jones Livestock, Jeromesville, Ohio -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that they failed to issue timely payment and engaged in unfair and deceptive practices.

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News Release

Release No.: 79-12

Contact:
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GIPSA Alleges New Wilmington Livestock Auction, Inc. and Thomas R. Skelton Violated the Packers and Stockyards Act

WASHINGTON, Mar. 29, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that New Wilmington Livestock Auction, Inc. (New Wilmington) and Thomas R. Skelton (Skelton), New Wilmington, Pa.:

- failed to properly maintain its custodial account; and
- failed to deposit in the firm’s custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable from sales of consigned livestock. This was due to withdrawal from their custodial account for purposes other than: (1) payment of the net proceeds to the consignor or shipper, or to any person that the market agency knows is entitled to payment; (2) to pay lawful charges against the consignment of livestock which the market agency shall, in its capacity as agent, be required to pay; or (3) to obtain any sums due the market agency as compensation for its services.

GIPSA filed a complaint against New Wilmington and Skelton on February 17, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, New Wilmington and Skelton may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

New Wilmington under the direction, management, and control of Skelton was engaged in the business of conducting and operating a posted stockyard; was a market agency selling livestock in commerce on a commission basis, and is registered with the Secretary of Agriculture.

Skelton was 100% owner and president of New Wilmington and was responsible for the day-to-day direction, management and control of New Wilmington.

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News Release

Release No.: 80-12

Contact:
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Jallaq Livestock, Inc. and Majdi Jallaq, aka Mike Jallaq Are Assessed a Civil Penalty in the Amount of \$75,000

WASHINGTON, Mar. 29, 2012 – On February 9, 2012, the U.S. Department of Agriculture issued a default decision against Jallaq Livestock, Inc. (Jallaq Livestock), and Majdi Jallaq, also known as Mike Jallaq (Jallaq), Grove City, Ohio, which became final and effective on March 17, 2012. Jallaq Livestock and Jallaq have been ordered to cease and desist from:

- issuing checks without having sufficient funds to pay checks when presented;
- failing to pay, when due, the full purchase price for livestock;
- failing to pay the full purchase price for livestock purchases; and
- failing to keep and maintain records which fully and correctly disclose the true nature of all transaction involved in their business.

Jallaq Livestock and Jallaq have also been assessed a civil penalty in the amount of \$75,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 81-12

Contact:
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GIPSA Settles a Case with Anthony Ballanger, Shawn Murphy, and Russell Livestock Market, LLC Resulting in a \$10,000 Penalty

WASHINGTON, Mar. 29, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Anthony Ballanger, Shawn Murphy, and Russell Livestock Market, LLC, Russell, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$10,000 after GIPSA found that they created false and misleading records in connection with activities subject to the P&S Act.

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News Release

Release No.: 82-12

Contact:
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GIPSA Settles a Case with Josh Mueller, dba Circle M Cattle Co. Resulting in a \$1,000 Penalty

WASHINGTON, Mar. 29, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Josh Mueller, doing business as Circle M Cattle Co., Halstead, Kan. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that he failed to pay, when due, for livestock purchases.

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Release No.: 83-12

Contact:
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GIPSA Settles a Case with Daniel Amaya Resulting in a \$2,000 Penalty

WASHINGTON, Mar. 29, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Daniel Amaya, Caldwell, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he operated as a livestock dealer without a financial instrument.

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News Release

Release No.: 84-12

Contact:
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Livestock Industry Alert: Unregistered Dealer Wanted in Connection with Unpaid Livestock Transactions

WASHINGTON, Apr. 6, 2012 -- USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) has received reports that livestock sellers have not received payment in livestock transactions involving, either directly or indirectly, a buyer named Ron Shepard. GIPSA is seeking information from livestock sellers who may have been involved in livestock transactions involving Ron Shepard in recent weeks and have not been paid.

Shepard is wanted in several states, including Arkansas and Kentucky, where arrest warrants have been issued. Also known as Ronald Ryan Shepard, Jr., and Ronald Ryan Sheppard, Jr., Shepard was convicted in 2004 on charges of wire fraud involving cattle transactions and served time in prison. He was released from prison in February 2009, on supervised release.

Shepard is believed to be associated with, or done business with several livestock dealer operations and livestock auctions in Illinois, Florida and Arkansas. He may have purchased cattle, either directly or indirectly in Texas, Kentucky, and possibly other states as well. Livestock sellers who believe they may have sold livestock to Shepard and have not been paid, and livestock buyers or feeding operations that may have acquired livestock from or through Shepard are asked to contact the GIPSA regional office in Des Moines, Iowa at 515-323-2579.

Anyone with information on the whereabouts of Ron Shepard should contact Christopher Origliosso, Sr., U.S. Probation Officer, Southern District of Illinois at (618) 439-7903 or Kevin Castleman, Deputy United States Marshall, Benton, IL, at (618) 439-7703.



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News Release

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Contact:
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The Smithfield Packing Company, Inc., Has Been Assessed a Civil Penalty in the Amount of \$39,000

WASHINGTON, Apr. 9, 2012 – On March 19, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with The Smithfield Packing Company, Inc. (Smithfield), Smithfield, Va. Smithfield has been ordered to cease and desist from:

- failing to maintain and operate scales to ensure accurate weights;
- making settlement and final payment for livestock purchased by Smithfield on a carcass weight or carcass grade and weight basis based on inaccurate hot carcass weights; and
- failing to maintain, and to have available at its facilities, a complete set of calibrated test weights to properly test the accuracy of its monorail scales.

Smithfield has also been assessed a civil penalty in the amount of \$39,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.:86-12

Contact:
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First World Management Services, Inc., dba Bios Zabeeha Halal Foods and Tahawwur H. Rana Has Been Assessed a Civil Penalty in the Amount of \$2,500

WASHINGTON, Apr. 5, 2012 – On March 8, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with First World Management Services, Inc., doing business as Bios Zabeeha Halal Foods (First World) and Tahawwur H. Rana, Kinsman, Ill, and withdrew allegations against Tahawwur H. Rana, Chicago, Ill., as an individual.

First World, its agents and employees, has been ordered to cease and desist from failing to pay when due and failing to pay for livestock purchases. It has also been assessed a civil penalty in the amount of \$2,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 87-12

Contact:
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Randall J. Unger, dba Lake Area Livestock Marketing Has Been Suspended as a Registrant

WASHINGTON, Apr. 5, 2012 – On February 9, 2012, the U.S. Department of Agriculture issued a default decision against Randall J. Unger (Unger), doing business as Lake Area Livestock Marketing, which became final and effective on April 4, 2012. Unger has been ordered to cease and desist from:

- issuing checks without having sufficient funds to pay checks when presented; and
- failing to pay for livestock purchases.

Unger is suspended as a registrant for a period of five years.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 88-12

Contact:
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North American Bison Cooperative and North Dakota Natural Beef, LLC Have Been Assessed a Civil Penalty in the Amount of \$140,000

WASHINGTON, Apr. 9, 2012 – On March 22, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with North American Bison Cooperative and North Dakota Natural Beef, LLC (the respondents), Fargo, N.D.

The respondents have been ordered to cease and desist from failing to pay and failing to pay, when due, the full purchase price of livestock.

They are ordered to make immediate payment for all livestock purchases until such time that they demonstrate to GIPSA that their current assets exceed their current liabilities.

The respondents have also been assessed a civil penalty in the amount of \$140,000 of which \$125,000 will be held in abeyance until the respondents make restitution to unpaid sellers of approximately \$325,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 89-12

Contact:
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GIPSA Alleges Marshall Livestock Auction, Inc. -- Special Account, and Carey Jones Violated the Packers and Stockyards Act

WASHINGTON, Apr. 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Marshall Livestock Auction, Inc. -- Special Account, and Carey Jones, Marshall, Mo.:

- failed to pay, within the time period required by the Packers and Stockyards (P&S) Act, the full purchase price for livestock; and
- failed to file an annual report for fiscal year ending March 31, 2011. As a result, their registration expired due to their failure to comply with federal regulations.

GIPSA filed a complaint against the respondents on February 24, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty. Marshall Livestock Auction, Inc. – Special Account was engaged in the business of buying and selling livestock in commerce as a dealer for its own account or the account of others or as a market agency buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

Carey Jones is president, 100% owner and registered agent of Marshall Livestock, Inc. – Special Account, and responsible for the day-to-day management, direction, and control of Marshall Livestock, Inc. – Special Account.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 90-12

Contact:
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GIPSA Alleges Mark K. Holder, dba Mark Holder Livestock, Violated the Packers and Stockyards Act

WASHINGTON, Apr. 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration has found evidence that Mark K. Holder (Holder), doing business as Mark Holder Livestock, Hartsville, Tenn.:

- issued checks in payment for livestock purchases without having the funds to cover the checks;
- purchased livestock and failed to pay within the time period required by the
- Packers and Stockyards (P&S) Act, the full purchase price for the livestock; and
- purchased livestock and failed to pay the full purchase price for the livestock.

GIPSA filed a complaint against Holder on January 10, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Holder was engaged in the business of buying and selling livestock in commerce for his own account or the account of others as a dealer, and as a market agency buying on commission. Holder is registered with the Secretary of Agriculture.

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News Release

Release No.:91-12

Contact:
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GIPSA Settles a Case with Stevie P. King Resulting in a \$2,000 Penalty

WASHINGTON, Apr. 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Stevie P. King, Alma, Ark. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he failed to pay, when due, for livestock invoices.

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News Release

Release No.: 92-12

Contact:
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GIPSA Settles a Case with Kim James Conaway and Conaway Livestock, LLC Resulting in a \$1,650 Penalty

WASHINGTON, Apr. 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Kim James Conaway and Conaway Livestock, LLC, DeLeon Springs, Fla. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,650 after GIPSA found that they operated without a bond.

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News Release

Release No.: 95-12

Contact:
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Barnesville Livestock, LLC and Darryl Watson Have Been Ordered to Cease and Desist from Improperly Using its Custodial Account

WASHINGTON, Apr. 5, 2012 – On January 23, 2012, the Judicial Officer, U.S. Department of Agriculture (USDA) issued a decision in a case brought by USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) against Barnesville Livestock, LLC (Barnesville) and Darryl Watson (Watson), Norwich, Ohio.

Barnesville and Watson shall cease and desist from further violations of section 312(a) of the Packers and Stockyards (P&S) Act, 7 U.S.C. §213(a) and sections 201.42 and 201.43 of the Regulations, 9 C.F.R. §201.42 and §201.43. Including:

- failing to properly use and maintain a custodial account;
- failing to deposit into the custodial account an amount equal to the proceeds receivable from the sale of consigned livestock, causing in part, the shortages in its custodial account;
- failing to remit, when due, the net proceeds due from the sale price of livestock sold on a commission basis;
- depositing custodial account funds to the market's general account;
- depositing proceeds from the sale of livestock on a commission basis into an account other than the market's custodial account; and
- issuing custodial checks without having sufficient funds to cover checks.

Barnesville was suspended as a registrant for a period of 21 days.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 96-12

Contact:
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GIPSA Alleges Brian Adams Violated the Packers and Stockyards Act

WASHINGTON, Apr. 12, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Brian Adams bought livestock in commerce on a commission basis without maintaining an adequate bond and is not properly registered as required by the Packers and Stockyards (P&S) Act and regulations.

GIPSA filed a complaint against Brian Adams on March 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Brian Adams may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Brian Adams was engaged in the business of a market agency buying livestock in commerce on a commission basis, and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 97-12

Contact:
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Darlington Livestock Market, Inc. and Robert B. Robeson Have Been Assessed a Civil Penalty in the Amount of \$7,500

WASHINGTON, Apr. 12, 2012 – On March 28, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Darlington Livestock Market, Inc. (Darlington Livestock) and Robert B. Robeson (Robeson), Darlington, S.C.

Darlington Livestock and Robeson have been ordered to cease and desist from:

- failing to maintain their livestock scale so as to ensure accurate weights;
- weighing livestock at other than their true and correct weights;
- paying the sellers of livestock on the basis of false and incorrect weights; and
- issuing accounts of purchase to the sellers of livestock on the basis of false and incorrect weights.

Darlington Livestock and Robeson have also been assessed a civil penalty in the amount of \$7,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 98-12

Contact:
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Tony Wells, dba Tony Wells Livestock, Has Been Assessed a Civil Penalty in the Amount of \$30,000

WASHINGTON, Apr. 19, 2012 – On April 4, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Tony Wells (Wells), doing business as Tony Wells Livestock, Wilmar, Ark.

Wells has been ordered to cease and desist from:

- purchasing livestock and failing to pay the full purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act;
- issuing checks in payment for livestock without having and maintaining sufficient funds; and
- engaging in business in any capacity for which registration and bonding is required under the P&S Act, for a period of 18 months until he demonstrates to the Packers and Stockyards Program that he has paid \$10,000 of the civil penalty.

Wells has been assessed a civil penalty in the amount of \$30,000. Twenty thousand dollars of this civil penalty will be held in abeyance, provided he complies with the cease and desist provisions above. The \$20,000 held in abeyance will be set aside upon successful compliance with the terms of the Order.

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Contact:
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Lemmon Livestock, Inc. and S. Paul Huffman Have Been Assessed a Civil Penalty in the Amount of \$12,000

WASHINGTON, Apr. 19, 2012 – On April 3, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Lemmon Livestock, Inc. (Lemmon Livestock) and S. Paul Huffman (Huffman), Lemmon, S.D. Lemmon Livestock and Huffman have been ordered to cease and desist from:

- failing to properly maintain their Custodial Account for Shippers' Proceeds;
- using funds received from the sale of consigned livestock for any purpose other than those specifically permitted by section 201.42(d) of the Regulations (9 C.F.R. § 201.42);
- issuing custodial account checks without having sufficient funds on deposit and available in the Custodial Account for Shippers' Proceeds; and
- failing to remit, when due, the proceeds of livestock sales.

Lemmon Livestock and Huffman were also suspended as registrants for 7 days and are assessed a civil penalty in the amount of \$12,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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Ashville Stockyards, Inc., and Bradley and Tilda Plunkett Have Been Assessed an \$8,000 Civil Penalty

WASHINGTON, Apr. 19, 2012 – On April 4, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Ashville Stockyards, Inc. (Ashville), of Ashville, Ala., and Bradley and Tilda Plunkett. Ashville and Bradley and Tilda Plunkett have been ordered cease and desist from:

- failing to properly maintain their custodial account;
- using funds received from the sale of consigned livestock for any purpose other than payment to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges;
- issuing custodial checks without having sufficient funds to cover checks.
- failing to remit net proceeds of livestock sales; and
- failing to remit, when due, the proceeds of livestock sales.

Ashville and Bradley and Tilda have been assessed a civil penalty in the amount of \$8,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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Williams Cattle Co., Inc. Is Assessed a Civil Penalty of \$8,000

WASHINGTON, Apr. 19, 2012 – On March 27, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Williams Cattle Co., Inc. (Williams Cattle), London, Ky.

Williams Cattle has been ordered to cease and desist from failing to pay, when due, the full purchase price of livestock and has been assessed a civil penalty in the amount of \$8,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 102-12

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

Herreid Livestock Auction, Inc. and Joe Varner Have Violated the Packers and Stockyards Act

WASHINGTON, Apr. 19, 2012 – On April 9, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with

Herreid Livestock Auction, Inc. (Herreid Livestock), and Joe Varner (Varner), Herreid, S.D. Herreid Livestock and Varner have been ordered to cease and desist from engaging in the business of a market agency selling livestock in commerce on a commission basis while their financial condition does not meet the requirements of the Packers and Stockyards (P&S) Act.

The registration of Herreid Livestock is suspended for 21 days.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 103-12

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Robert Witt and Thomas Witt Violated The Packers and Stockyards Act

WASHINGTON, Apr. 19, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Robert Witt and Thomas Witt:

- failed to properly maintain their custodial account in that their custodial account had shortages; and
- these shortages were due, in part, to Robert and Thomas Witt’s failure to deposit into its custodial accounts an amount equal to the proceeds receivable from the sale of consigned livestock and to the withdrawal of bank charges from their custodial account.

GIPSA filed a complaint against Robert and Thomas Witt on March 27, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Robert and Thomas Witt may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Robert and Thomas Witt were each 50% owners of KWW (KWW), LLC, doing business as Grove Livestock. Robert and Thomas Witt have ceased operations of KWW and the company is currently inactive. They were engaged in the business of a market agency selling livestock on a commission basis and are registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 104-12

Contact:
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GIPSA Alleges Gary Craig, dba Craig Sheep Farm, Mingis Farms And Triple C Sheep Farm Violated the Packers and Stockyards Act

WASHINGTON, Apr. 19, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gary Craig (respondent), doing business as Craig Sheep Farm, Mingis Farms, and Triple C Sheep Farm:

- after being notified by Packers and Stockyards Program that he was required to obtain a bond or bond equivalent, the respondent continued to engage in the business of a dealer buying and selling livestock in commerce, and the business of a market agency buying livestock on a commission basis without maintaining an adequate bond or bond equivalent as required by the Packers and Stockyards (P&S) Act and regulations;
- inflated the price of livestock that he purchased for a customer by creating false auction market invoices; and
- purchased livestock on a commission basis without disclosing to his customer that the livestock had been purchased at auction from his own consignments.

GIPSA filed a complaint against the respondent on January 9, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

The respondent was engaged in business of buying and selling livestock in commerce as a dealer for his own account or for the account of others; engaged in the business of a market agency buying livestock in commerce on a commission basis; and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 105-12

Contact:
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GIPSA Alleges Lester J. Gemmen, Jr. Violated The Packers and Stockyards Act

WASHINGTON, Apr. 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Lester J. Gemmen, Jr. (Gemmen) failed to pay, when due, for livestock purchases.

GIPSA filed a complaint against Gemmen on April 10, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Gemmen may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Gemmen was engaged in business as a dealer, buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 106-12

Contact:
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GIPSA Alleges J. Cuiksa, Inc. and Jason Cuiksa Violated the Packers and Stockyards Act

WASHINGTON, Apr. 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that J. Cuiksa, Inc., South Hutchinson, Kan. and Jason Cuiksa:

- operated with custodial account shortages; and
- failed to maintain records, which fully and correctly disclosed all transactions involved in the business.

GIPSA filed a complaint against J. Cuiksa, Inc. and Jason Cuiksa on April 12, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, J. Cuiksa, Inc. and Jason Cuiksa may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

J. Cuiksa, Inc., under the direction, management, and control of Jason Cuiksa was engaged in the business of a market agency selling livestock in commerce on a commission basis and is registered with the Secretary of Agriculture.

Jason Cuiksa was the president, vice-president, secretary, treasurer, 100% owner, and manager of J. Cuiksa, Inc. He was also responsible for the day-to-day direction, management and control of J. Cuiksa, Inc.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 107-12

Contact:
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GIPSA Alleges Dustin Ryan Conley, dba Dustin Conley Cattle Co. Violated the Packers and Stockyards Act

WASHINGTON, Apr. 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Dustin Ryan Conley (Conley), doing business as Dustin Conley Cattle Co., Smiths Grove, Ky., engaged in the business of a dealer buying and selling livestock in commerce and as a market agency buying livestock in commerce on a commission basis without maintaining a bond.

GIPSA filed a complaint against Conley on April 12, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Conley may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Conley was engaged in the business of a dealer buying and selling livestock in commerce for his own account and as a market agency buying livestock on a commission basis; and is not registered with the Secretary of Agriculture.

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News Release

Release No.: 108-12

Contact:
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GIPSA Alleges Bobby T. Tindel Violated the Packers and Stockyards Act

WASHINGTON, Apr. 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Bobby T. Tindel, Chandler, Texas, engaged in the business of a market agency buying on commission without maintaining an adequate bond.

GIPSA filed a complaint against Bobby T. Tindel on March 27, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Bobby T. Tindel may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Bobby T. Tindel was engaged in business as a market agency buying on commission and is not registered with the Secretary of Agriculture.

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News Release

Release No.: 109-12

Contact:
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Hatch Auction, Inc., dba Cow House Auction and Raymond L. Hatch Have Failed to Maintain their Custodial Account for Shippers' Proceeds

WASHINGTON, Apr. 26, 2012 – On April 10, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Hatch Auction, Inc. (Hatch Auction), doing business as Cow House Auction and Raymond L. Hatch (Raymond Hatch), Fruitland, N.M.

Hatch Auction and Raymond Hatch have been ordered to cease and desist from:

- failing to deposit in their custodial account for shippers' proceeds, within the time prescribed in the regulations, an amount equal to the proceeds receivable from the purchase by Hatch Auction and Raymond Hatch and others of livestock consigned to Hatch Auction for sale on a commission basis;
- failing to maintain their custodial account for shippers' proceeds; and
- failing to keep and maintain records which fully and correctly disclose all transaction involved in its business as a market agency.

Hatch Auction is suspended as a registrant under the Packers and Stockyards (P&S) Act for a period of 30 days until it demonstrates that the shortage in its custodial account for shippers' proceeds has been eliminated.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 110-12

Contact:
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Mohammad S. Malik and Kiran Enterprises, Inc., dba Trenton Halal Meat Packing Co. Has Been Assessed a Civil Penalty of \$31,600

WASHINGTON, Apr. 26, 2012 – On January 23, 2012, the U.S. Department of Agriculture (USDA) issued a default decision against Mohammad S. Malik and Kiran Enterprises, Inc., doing business as Trenton Halal Meat Packing Co. (respondents), Trenton, N.J., which the respondents appealed to the USDA Judicial Officer with a request that he suspend or waive the assessed civil penalty. The USDA Judicial Officer issued his decision, rejecting the respondent's request, which became final and effective on March 8, 2012. The respondents have been ordered to cease and desist from failing to pay, within the time period required by the Packers and Stockyards (P&S) Act, the full purchase price of livestock.

They have also been assessed a civil penalty of \$31,600.

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News Release

Release No.: 111-12

Contact:
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GIPSA Alleges Riata Cattle Company, Inc., And Porfirio Garcia, aka Fedo Garcia Violated the Packers and Stockyards Act

WASHINGTON, May 3, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Riata Cattle Company, Inc. (Riata Cattle), and Porfirio Garcia (Garcia), also known as Fedo Garcia, Lyford, Texas:

- failed to pay, when due, for livestock purchases; and
- failed to pay, when due, the full purchase price for livestock.

GIPSA filed a complaint against Riata Cattle and Garcia on April 24, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Riata Cattle and Garcia may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Riata Cattle under the direction, management, and control of Garcia was engaged in the business of a dealer buying and selling livestock in commerce and is registered with the Secretary of Agriculture.

Garcia is, and at all times was president of Riata Cattle; 100% owner of the stock issued by Riata Cattle; responsible for the direction, management and control of Riata Cattle; and the alter ego of Riata Cattle.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 112-12

Contact:
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GIPSA Alleges Pasqual A. Leone, d/b/a P.A. Leone Livestock, Violated the Packers and Stockyards Act

WASHINGTON, May 3, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Pasqual A. Leone (Leone), doing business as P.A. Leone Livestock, Rome, N.Y.:

- purchased livestock and altered or fabricated invoices from livestock auctions by increasing the amount paid for cattle in order to falsely inflate the prices to those he bought cattle for; and
- falsified the records of his business that were documented in transactions.

GIPSA filed a complaint against Leone on April 23, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Leone may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Leone was engaged in the business of buying and selling livestock in commerce as a dealer; and in the business of a market agency buying livestock on commission basis; and is registered with the Secretary.

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News Release

Release No.: 113-12

Contact:
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GIPSA Alleges D&H Mebane Stockman's Corporation, dba Western Stockman's Market and Dwight G. Mebane Violated the Packers and Stockyards Act

WASHINGTON, May 3, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that D&H Mebane Stockman's Corporation (D&H), doing business as Western Stockman's Market and Dwight G. Mebane (Mebane):

- issued checks without having sufficient funds to cover checks; and
- failed to remit to consignors, when due, the net proceeds due from the sale of their livestock on a commission basis.

GIPSA filed a complaint against D&H and Mebane on April 23, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, D&H and Mebane may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Mebane was at all times the sole owner, president, and manager of D&H. Mebane formulated and controlled the practices and activities of D&H.

D&H under the direction, management, and control of Mebane was engaged in the business of conducting and operating Western Stockman's Market a posted stockyard subject to the provisions of the P&S Act; engaged in the business of a market agency buying and selling livestock on commission basis; and is registered with the Secretary of Agriculture.

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News Release

Release No.: 114-12

Contact:
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GIPSA Alleges Stephen Smeal, dba Fatted Calf Cattle Farms #6 Violated the Packers and Stockyards Act

WASHINGTON, May 3, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Stephen Smeal (Smeal), doing business as Fatted Calf Cattle Farms #6, Canton, Texas:

- purchased livestock and failed to pay, when due, for livestock;
- purchased livestock and failed to pay, when due, the full purchase price for livestock; and
- did not maintain sufficient funds in his account to pay for livestock purchases.

GIPSA filed a complaint against Smeal on April 20, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Smeal may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Smeal was engaged in the business of buying livestock on a commission basis in commerce; engaged in the business of a dealer buying and selling livestock in commerce; and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 115-12

Contact:
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GIPSA Alleges Headwaters Livestock Auction, LLC Violated the Packers and Stockyards Act

WASHINGTON, May 3, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Headwaters Livestock Auction, LLC (Headwaters Livestock), Three Forks, Mont.:

- failed to properly maintain and properly use their custodial account for shippers’ proceeds;
- operated with shortages in their custodial account; and
- failed to deposit into the account an amount equal to the proceeds from the sale of consigned livestock within the time period prescribed in the regulations.

GIPSA filed a complaint against the Headwaters Livestock on February 17, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Headwaters Livestock may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Headwaters Livestock was engaged in the business of a market agency selling livestock in commerce on a commission basis and is registered with the Secretary of Agriculture.

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News Release

Release No.: 116-12

Contact:
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Brian Morris and Ronald Morris Violated the Packers and Stockyards Act

WASHINGTON, May 3, 2012 – On April 18, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Brian Morris and Ronald Morris, Victoria, Texas.

Brian and Ronald Morris have been ordered to cease and desist from:

- failing to properly maintain their custodial account for shippers’ proceeds; and
- using funds received from the sale of consigned livestock for any purpose other than payment to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges.

Brian and Ronald Morris are not to be registered to engage in any business subject to the Packers and Stockyards (P&S) Act for three years. They are also prohibited from operating as a market agency or dealer without being registered with the Secretary of Agriculture and without maintaining an adequate bond.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 117-12

Contact:
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GIPSA Settles a Case Resulting in a \$1,125 Civil Penalty

WASHINGTON, May 3, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$1,125 civil penalty.

Wakefield Pork, Inc., Gaylord, Minn. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,125 after GIPSA found that they failed to comply with contractual requirements.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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GIPSA Settles a Case Resulting in a \$1,500 Civil Penalty

WASHINGTON, May 3, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled a case resulting in a \$1,500 civil penalty.

Dale Leard, Corsicana, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,125 after GIPSA found that he purchased livestock in commerce without obtaining the necessary registration and bond.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Contact:
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GIPSA Alleges Ronald Ryan Shepard, Jr., aka Ronald Ryan Sheppard, Jr., aka Ron Shephard, Jeremy E. Pierce, and Brookfield Cattle Company, LLC Violated the Packers and Stockyards Act

WASHINGTON, May 3, 2012 – The Department of Agriculture’s (USDA) Grain Inspection, Packers and Stockyards Administration (GIPSA) has filed an administrative complaint against Ronald Ryan Shepard, Jr., also known as Ronald Ryan Sheppard, Jr., also known as Ron Shephard (Shepard), Jeremy E. Pierce (Pierce), and Brookfield Cattle Company, LLC (Brookfield Cattle) for violations of the Packers and Stockyards (P&S) Act.

In its complaint, filed on April 12, 2012, GIPSA alleges that Shepard, Pierce, and Brookfield Cattle, bought and sold livestock in commerce without being properly registered with GIPSA and without filing a bond; issued checks in payment for livestock which were returned unpaid because they did not have sufficient funds on deposit to pay the checks; purchased livestock and failed to pay, when due, the full purchase price for the livestock; and purchased livestock and failed to pay for the livestock purchased.

GIPSA’s administrative complaint can be found on the Internet at <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations in the complaint are admitted, or proven in an oral hearing, USDA may issue an order against Shepard, Pierce, Brookfield Cattle to cease and desist from violating the P&S Act and, in addition, assess them a civil penalty.

Shepard, who GIPSA alleges has engaged in the business of a dealer buying and selling livestock in commerce, is not registered with the Secretary of Agriculture. Shepard is also alleged to be responsible for the direction, management, and control of buying activities for Brookfield Cattle.

Pierce, who GIPSA alleges has engaged in the business of a dealer buying and selling livestock in commerce, is not registered with the Secretary of Agriculture. Pierce is also responsible for the direction, management, and control of Brookfield Cattle, and is the alter ego of Brookfield Cattle.



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News Release

Release No.: 120-12

Contact:
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GIPSA Alleges Boswell Livestock Commission Co., Inc., Ronald R. Bullard, Jr. and Kevin R. Bullard Violated the Packers and Stockyards Act

WASHINGTON, May 10, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Boswell Livestock Commission Co., Inc., Boswell, Ind. (Boswell Livestock), Ronald R. Bullard, Jr. (R. Bullard) and Kevin R. Bullard (K. Bullard):

- failed to properly maintain their custodial account;
- failed to deposit into their custodial account amounts equal to the proceeds receivable from the sale of consigned livestock resulting in deficiencies in their custodial account;
- failed to charge all consignors the correct posted rates and charges specified in its schedule of rates and charges filed with the Secretary of Agriculture at the time services were furnished; and
- failed to keep and maintain records which fully and correctly disclosed all transactions involved in their business.

GIPSA filed a complaint against Boswell Livestock, R. Bullard, and K. Bullard on May 2, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Boswell Livestock, R. Bullard, and K. Bullard may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Boswell Livestock under the direction, management, and control of R. Bullard and K. Bullard was engaged in the business of conducting and operating Boswell Livestock, a stockyard posted and subject to the provisions of the P&S Act; a livestock dealer buying and selling livestock in commerce and as a market agency selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

R. Bullard was president of Boswell Livestock; 50% owner of the stock of Boswell Livestock; and responsible, along with K. Bullard for the direction, management and control of Boswell Livestock.

K. Bullard was secretary and treasurer of Boswell Livestock; 50% owner of the stock of Boswell Livestock; and responsible, along with R. Bullard for the direction, management and control of Boswell Livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 121-12

Contact:
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GIPSA Settles a Case with Donald and LaNell McCandless, Floydada Livestock Sales, Inc. Resulting in a \$3,500 Penalty

WASHINGTON, May 10, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Donald and LaNell McCandless, Floydada Livestock Sales, Inc., Floydada, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,500 after GIPSA found that they had custodial account shortages and had key employees purchasing out of consignment.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 122-12

Contact:
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GIPSA Settles a Case with H.D. Hume Resulting in a \$1,500 Penalty

WASHINGTON, May 10, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

H.D. Hume, Taylorsville, Ky. -- waived his right to a hearing, entered into a stipulation agreement, and has agreed to pay a penalty of \$1,500 after GIPSA found that he failed to timely pay for 20 livestock dealer purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 123-12

Contact:
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GIPSA Settles a Case with Wishek Livestock Sales, Inc. Resulting in a \$3,000 Penalty

WASHINGTON, May 10, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Wishek Livestock Sales Inc., Wishek, N.D. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that they had custodial account shortages.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 124-12

Contact:
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GIPSA Alleges Donald D. Baker Cattle Company, LLC and Donald D. Baker Violated the Packers and Stockyards Act

WASHINGTON, May 10, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Donald D. Baker Cattle Company, LLC (Baker Cattle), and Donald D. Baker (Baker), Galax, Va., purchased livestock and failed to pay, when due, the full purchase price for the livestock.

GIPSA filed a complaint against Baker Cattle and Baker on April 7, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Baker Cattle and Baker may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Baker Cattle is engaged in the business of a dealer buying and selling livestock in commerce and is registered with the Secretary of Agriculture.

Baker is the sole owner of Baker Cattle and is responsible for the day to day direction, management and control of Baker Cattle, and is the alter ego of Baker Cattle.

P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 125-12

Contact:
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Clair Hull, d/b/a Pioneer Specialty Foods, LLC Violated the Packers and Stockyards Act

WASHINGTON, May 10, 2012 – On May 1, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Clair Hull (Hull), doing business as Pioneer Specialty Foods, LLC.

Hull has been ordered to cease and desist from:

- failing to pay the full amount of the purchase price of livestock;
- failing to pay, when due, the full amount of the purchase price of livestock; and
- issuing check to livestock sellers for livestock purchases with insufficient funds.

Hull shall also cease and desist from purchasing livestock except under the condition that he delivers to the seller the full amount of the purchase price by payment in United States currency, certified check, or by wire transfer before the close of the next business day following the purchase of livestock and transfer of possession. When purchasing livestock, Hull should obtain and maintain a bond at a rate of two times the required bond. He is prohibited from entering into credit agreements that would waive trust protection for livestock sellers. These conditions will continue for five years.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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GIPSA Alleges Comanche Livestock Auction, Inc., and W. Raymond Brown, and Jo Ann Brown Violated the Packers and Stockyards Act

WASHINGTON, May 17, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Comanche Livestock Auction, Inc. (Comanche Livestock), and W. Raymond Brown, and Jo Ann Brown, Comanche, Okla.

- failed to properly maintain their custodial account;
- failed to deposit into their custodial account amounts equal to the proceeds receivable from the sale of consigned livestock resulting in deficiencies in their custodial account.

GIPSA filed a complaint against Comanche Livestock, W. Raymond Brown, and Jo Ann Brown on May 9, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing,

Comanche Livestock, W. Raymond Brown, and Jo Ann Brown may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Comanche Livestock under the direction, management, and control of W. Raymond Brown and Jo Ann Brown was engaged in the business of conducting and operating Comanche Livestock, a stockyard posted and subject to the provisions of the P&S Act; engaged in the business of a market agency selling consigned livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

W. Raymond Brown was president of Comanche Livestock; 50% owner of Comanche Livestock; and responsible for the direction, management and control of Comanche Livestock.

Jo Ann Brown was secretary and office manager of Comanche Livestock; 50% owner of Comanche Livestock; and responsible for the direction, management and control of Coomanche Livestock.



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Release No.: 127-12

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GIPSA Alleges Stony Pike Livestock Commission, Inc., Ronald R. Bullard, Jr. and Kevin R. Bullard Violated the Packers and Stockyards Act

WASHINGTON, May 17, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Stony Pike Livestock Commission, Inc. (Stony Pike), Ronald R. Bullard, Jr., (R. Bullard) and Kevin R. Bullard (K. Bullard), Logansport, Ind.:

- failed to properly maintain the custodial account;
- had multiple custodial account shortages caused by failing to deposit into the custodial account an amount equal to the proceeds receivable from the sale of consigned livestock;
- failed to keep and maintain records which fully and correctly disclosed all the transactions involved in the business; and
- failed to keep and maintain records showing the true identity of livestock purchasers.

GIPSA filed a complaint against Stony Pike, R. Bullard, and K. Bullard on April 27, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Stony Pike, R. Bullard, and K. Bullard may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Stony Pike, under the direction, management, and control of R. Bullard, and K. Bullard was engaged in business of a livestock dealer buying and selling livestock in commerce and as a market agency buying on commission; and is registered with the Secretary of Agriculture.

R. Bullard was president of Stony Pike; 50% owner of the stock issued by Stony Pike; and is responsible, along with K. Bullard for the direction, management, and control of Stony Pike.



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David Mosner, Inc. Has Been Assessed a \$10,000 Civil Penalty

WASHINGTON, May 17, 2012 – On May 4, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with David Mosner Inc. (Mosner), Bronx, N.Y.

Mosner has been ordered to cease and desist from:

- purchasing livestock and failing to pay, when due, the full purchase price for livestock; and
- removing kidneys and kidney fat from veal calve carcasses before weighing and without informing the sellers.

Mosner has been assessed a \$10,000 civil penalty.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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GIPSA Settles a Case with Appanoose County Livestock, Inc. Resulting in a \$4,000 Penalty

WASHINGTON, May 17, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Appanoose County Livestock, Inc., Centerville, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,000 after GIPSA found that they created false or misleading records in connection with their activities subject to the P&S Act, practiced price manipulation, and misrepresented the source of livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Preliminary Injunction Ordered Against Ocala Livestock Market, Inc., Michael Yeomans and Tobitha Yeomans

WASHINGTON, May 16, 2012 – On May 11, 2012, Senior United States District Judge Wm. Terrell Hodges, United States District Court for the Middle District of Florida, ordered that Ocala Livestock Market, Inc. and its owners Michael Yeomans and Tobitha Yeomans be enjoined immediately from operating their livestock auction in Ocala, Florida, until administrative proceedings brought by the Department of Agriculture under the Packers and Stockyards Act of 1921 are resolved. Until that time, Ocala Livestock is not authorized to operate as a livestock auction.

The preliminary injunction follows an October 7, 2011, administrative complaint filed by the Deputy Administrator of the Packers and Stockyards Program at USDA alleging that Ocala Livestock failed to properly maintain its custodial account for shippers' proceeds. The complaint also alleged that Ocala Livestock operated with current liabilities that exceeded its current assets.

The Court found there is sufficient evidence that the Secretary of Agriculture has reason to believe that Ocala Livestock's operations could reasonably be expected to cause irreparable damage to another person, namely livestock consignors, and that an injunction was in the public interest. In ordering the injunction against Ocala Livestock and its owners, Judge Hodges wrote, "this risk of harm outweighs the damage to Ocala Livestock by virtue of ceasing operations for a temporary period of time, particularly where Ocala Livestock has been operating in violation of the [Packers and Stockyards] Act and its regulations."

An administrative hearing on the Department of Agriculture's complaint against Ocala Livestock, Michael Yeomans and Tobitha Yeomans is scheduled for the week of May 21, 2012.

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GIPSA and Ocala Livestock Market, Inc. Agree to Consent Decision; Preliminary Injunction Lifted

WASHINGTON, May 18, 2012 – On May 17, 2012, the Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with the Ocala Livestock Market, Inc. and its owners Michael Yeomans and Tobitha Yeomans. The consent decision resolves allegations brought by GIPSA against the Ocala market and its owners that the market was failing to properly maintain its custodial account and was insolvent, both violations of the Packers and Stockyards Act of 1921. Also, because livestock sellers would have been put at financial risk if Ocala Livestock continued to operate, a preliminary injunction was issued on May 10, 2012, by the U.S. District Court for the Middle District of Florida effectively shutting down the livestock auction.

Under the terms of the consent decision, Ocala Livestock, Michael Yeomans and Tobitha Yeomans are ordered to cease and desist from:

- failing to properly maintain their custodial account in compliance with Packers and Stockyards (P&S) regulations,
- using funds received from the sale of consigned livestock for any purpose other than those purposes specifically provided in P&S regulations, and
- operating while their current liabilities exceed their current assets.

Ocala Livestock, Michael Yeomans and Tobitha Yeomans are also assessed a civil penalty in the amount \$9,500.

In addition, the consent decision provides that the Department of Justice will be notified of this agreement. Upon receipt of this notification, the U.S. District Court is expected to issue an order lifting the preliminary injunction and allowing Ocala Livestock to resume operations.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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GIPSA and Ocala Livestock Market, Inc. Agree to Consent Decision; Preliminary Injunction Lifted

WASHINGTON, May 22, 2012 – On May 18, 2012, the U.S. District Court for the Middle District of Florida, Ocala Division, terminated the preliminary injunction against Ocala Livestock Market, Inc. and its owners Michael Yeomans and Tobitha Yeomans, thereby allowing Ocala to resume operations.

The termination of the preliminary injunction came one day after the parties entered into a consent decision resolving an administrative complaint issued by the Grain Inspection, Packers and Stockyards Administration alleging that Ocala and its owners failed to properly maintain their custodial account, misused custodial account funds, and were insolvent, in violations of the Packers and Stockyards Act of 1921.

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Release No.: 133-12

Contact:
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James A. Quick Violated the Packers and Stockyards Act

WASHINGTON, May 24, 2012 – On April 25, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with James A. Quick (Quick).

Quick has been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required without filing and maintaining an adequate bond; and
- engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act without first becoming properly registered.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Gary Craig, d/b/a Craig Sheep Farm, Mingis Farms, and Triple C Sheep Farm is Assessed a \$5,000 Civil Penalty

WASHINGTON, May 24, 2012 – On March 9, 2012, the U.S. Department of Agriculture issued a default decision against Gary Craig (Craig), an individual doing business as Craig Sheep Farm, Mingis Farms, and Triple C Sheep Farm in the State of Illinois. The default decision, which became final and effective on April 30, 2012, ordered Craig to cease and desist from:

- engaging in business in any capacity for which bonding is required without filing and maintaining an adequate bond or its equivalent;
- manipulating the price of livestock by creating false auction market invoices for customers; and
- consigning and repurchasing livestock from his own consignment without disclosing to customers that the livestock were purchased from his own consignment.

Craig is also prohibited from engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act without first becoming properly registered. Craig has been assessed a civil penalty in the amount of \$5,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Release No.: 135-12

Contact:
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Michael Brent Wagner is Assessed a \$10,000 Civil Penalty

WASHINGTON, May 24, 2012 – On March 27, 2012, the U.S. Department of Agriculture issued a default decision against Michael Brent Wagner (Wagner) which became final and effective on May 14, 2012. Wagner has been ordered to cease and desist from engaging in business in any capacity for which bonding is required without filing and maintaining an adequate bond.

He is also prohibited from engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act without first becoming properly registered. Wagner has been assessed a civil penalty in the amount of \$10,000.

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Riata Cattle Company, Inc., and Porfirio Garcia aka Fedo Garcia Are Assessed a \$15,000 Civil Penalty

WASHINGTON, June 5, 2012 – On May 10, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Riata Cattle Company, Inc. (Riata Cattle), and Porfirio Garcia (Garcia), also known as Fedo Garcia, Lyford, Texas.

Riata Cattle and Garcia have been ordered to cease and desist from purchasing livestock and failing to pay the full purchase price for livestock in a timely manner.

Riata Cattle and Garcia have been assessed a civil penalty of \$15,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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GIPSA Alleges Ronald Wayne Kitchen Violated the Packers and Stockyards Act

WASHINGTON, May 24, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ronald Wayne Kitchen (Kitchen):

- purchased livestock for another buyer and issued invoices showing false, inaccurate or misleading purchase prices and weights; and
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transactions involved in his business subject to the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Kitchen on April 27, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Kitchen may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Kitchen was engaged in the business of a dealer, buying and selling livestock in commerce for his own account or the account of others, and as a market agency, buying livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

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News Release

Release No.: 138-12

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GIPSA Alleges Daryl Bowman and Daryl Bowman Livestock, Inc., Violated The Packers and Stockyards Act

WASHINGTON, May 24, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Daryl Bowman (Bowman) and Daryl Bowman Livestock, Inc. failed to pay, when due, the full price for livestock purchases.

GIPSA filed a complaint against Bowman on April 19, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Bowman may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Bowman and Daryl Bowman Livestock, Inc. were engaged in business as a dealer, buying and selling livestock in commerce for his own account and are registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Dwight G. Mebane is Assessed a \$5,000 Civil Penalty

WASHINGTON, June 11, 2012 – On May 10, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Dwight G. Mebane (Mebane).

Mebane has been ordered to cease and desist from:

- issuing checks without having sufficient funds to cover checks;
- failing to remit to consignors, when due, the net proceeds due from the sale of their livestock sold on a commission basis;
- failing to deposit in their Custodial Account for Shippers' Proceeds an amount equal to the proceeds received from sales of consigned livestock; and
- failing to maintain their Custodial Account for Shippers' Proceeds.

Mebane has been assessed a civil penalty of \$5,000.

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Pamela Hill and John Clark, d/b/a Tri-State Livestock Are Assessed a \$6,200 Civil Penalty

WASHINGTON, June 5, 2012 – On May 9, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Pamela Hill (Hill) and John Clark (Clark), doing business as Tri-State Livestock, Texhoma, Okla.

Hill and Clark have been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required without first becoming properly registered and without filing and maintaining an adequate bond;
- failing to pay livestock dealers the full amount of the purchase price for livestock before the close of the next business day; and
- failing to maintain sufficient funds to cover checks.

Hill and Clark are prohibited from registering under the Packers and Stockyards (P&S) Act for five years. After one year, if all unpaid sellers have been paid in full, a supplemental order may be issued terminating the suspension at that time.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Albert J. Huizenga and Aaron M. Lancaster, dba Beefco Are Assessed a \$6,200 Civil Penalty

WASHINGTON, June 5, 2012 – On May 23, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Albert J. Huizenga (Huizenga) and Aaron M. Lancaster (Lancaster), doing business as Beefco.

Huizenga and Lancaster have been ordered to cease and desist from:

- failing to pay, when due, the full amount for livestock purchased; and
- issuing checks in payment for livestock without having and maintaining sufficient funds in the account upon which they are drawn to pay such checks when presented.

Huizenga and Lancaster are assessed a civil penalty of \$6,200.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 142-12

Contact:
Catherine M. Grasso, (202) 720-7201
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Robert Smith, d/b/a 4S Cattle Company and Four S Cattle Company Is Assessed a \$9,375 Civil Penalty

WASHINGTON, June 5, 2012 – On May 7, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Robert Smith, doing business as 4S Cattle Company and Four S Cattle Company (Smith), Bigfoot, Texas.

Smith has been ordered to cease and desist from engaging in business in any capacity for which bonding is required without first becoming properly registered as required by the Packers and Stockyards (P&S) Act and without filing and maintaining an adequate bond.

Smith is assessed a civil penalty of \$9,375, however, \$3,750 of the civil penalty will be held in abeyance for two years from the date the parties enter into this consent decision.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 143-12

Contact:
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GIPSA Alleges Chad Duncan, dba T&C Cattle Violated The Packers and Stockyards Act

WASHINGTON, June 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Chad Duncan (Duncan), doing business as T&C Cattle:

- purchased and sold livestock as a dealer or market agency without registering with the Secretary of Agriculture and securing a bond;
- failed to maintain adequate records which fully and correctly disclosed his purchases and sales of livestock; and
- committed deceptive practices in collusion with Tina Stockyards, LLC and received unjust profits in that he bought livestock from one stockyard for the account of another, marked up the livestock price, kept profits and also charged commission on the sales.

GIPSA filed a complaint against Duncan on May 16, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Duncan may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Duncan was engaged in business of buying and selling livestock in commerce as a dealer or on a commission basis as a market agency and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 144-12

Contact:
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GIPSA Alleges Norberto Gonzalez, aka Tito Gonzalez, d/b/a TG Cattle Violated the Packers and Stockyards Act

WASHINGTON, June 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Noberto Gonzalez, also known as Tito Gonzalez (Gonzalez), doing business as TG Cattle, Falfurrias, Texas:

- failed to pay the full amount for livestock that he purchased within the time period required by the Packers and Stockyards (P&S) Act;
- signed a promissory note agreeing to pay for livestock purchases plus interest to a posted stockyard in 23 monthly installments – has made four payments; and
- failed to keep and maintain records which fully and correctly disclosed all the transactions involved in his business as a dealer.

GIPSA filed a complaint against Gonzalez on April 27, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Gonzalez may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Gonzalez was engaged in business as a dealer, buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 145-12

Contact:
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GIPSA Alleges Milan Livestock Auction, Inc., also d/b/a Brookfield Sales Co., Wendell Fleshman and Linda Fleshman Violated the Packers and Stockyards Act

WASHINGTON, June 5, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Milan Livestock Auction, Inc. (Milan Livestock), doing business as Brookfield Sales Co., Brookfield, Mo., Wendell Fleshman and Linda Fleshman:

- purchased livestock for another buyer and showed the buyer false invoices, inaccurate, or misleading purchase price, weight, and source entries for the livestock he purchased; and
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transaction involved in his business subject to the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Milan Livestock, Wendell and Linda Fleshman on April 27, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Milan Livestock, Wendell and Linda Fleshman may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Milan Livestock managed and operated two livestock auction markets located in Brookfield and Milan Mo., and was engaged in the business of conducting and operating a posted stockyard subject to the provisions of the P&S Act; engaged in the business of a market agency selling consigned livestock in commerce on a commission basis at the stockyard; and is registered with the Secretary of Agriculture.

Wendell and Linda Fleshman were owners of Milan Livestock; corporate officers of Milan Livestock; corporate directors of Milan Livestock, responsible for the day-to-day direction, management, and control of Milan Livestock; and engaged in the business of a market agency subject to the provisions of the P&S Act.



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News Release

Release No.: 146-12

Contact:
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GIPSA Alleges Pilgrim's Pride Corporation Violated the Packers and Stockyards Act

WASHINGTON, June 7, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Pilgrim's Pride Corporation (Pilgrim's Pride), Pittsburg, Texas:

- breached its contract with growers in that it re-directed birds contracted for settlement at the Lufkin and Nacogdoches plants to Nacogdoches, Lufkin and Natchitoches plants;
- settled these flocks of birds as if they had been delivered to the original contractually designated plant. This resulted in the comparison and settlement of birds which had not been delivered to the settling plant. This led to the under payment to 18 growers in the approximate amount of \$13,567.74; and
- the rate of base pay and size of delivered bird weights were different at each plant; notably, the Nacogdoches plant had a higher rate of base pay than the Lufkin plant.

GIPSA filed a complaint against Pilgrim's Pride on April 23, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Pilgrim's Pride may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Pilgrim's Pride is engaged in the business of obtaining live poultry by purchase or under poultry growing arrangements for the purpose of slaughter; shipping processed poultry products in commerce; and operating as a live poultry dealer subject to the provisions of the P&S Act.

P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 147-12

Contact:
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GIPSA Alleges John E. Lundgren Violated the Packers and Stockyards Act

WASHINGTON, June 5, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that John E. Lundgren (Lundgren):

- failed to pay, when due, for livestock purchases; and
- engaged in the business of a dealer without maintaining an adequate bond or bond equivalent.

GIPSA filed a complaint against Lundgren on May 16, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Lundgren may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Lundgren was engaged in the business of a dealer, buying and selling livestock in commerce for his own account and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 148-12

Contact:
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GIPSA Settles a Case with Robert Snow, d/b/a Snow Cattle Company Resulting in a \$1,750 Penalty

WASHINGTON, June 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Robert Snow, d/b/a Snow Cattle Company, Garvin, Okla. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,750 after GIPSA found that he failed to pay when due and failed to maintain adequate records.

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News Release

Release No.: 149-12

Contact:
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GIPSA Settles a Case with Curtis Sporleder, Unionville Livestock Market, Inc., Resulting in a \$1,000 Penalty

WASHINGTON, June 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Curtis Sporleder, Unionville Livestock Market, Inc., Unionville, Mo. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that he had improper weighing practices.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 150-12

Contact:
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Robert and Patricia Trindade, d/b/a Newman Livestock Auction Have Been Suspended For Five Years

WASHINGTON, June 5, 2012 – On February 23, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Robert Trindade and Patricia Trindade, doing business as Newman Livestock Auction, Newman, Calif.

Robert and Patricia Trindade have been ordered to cease and desist from:

- using funds received as proceeds due from the sale of livestock sold on a commission basis for purposes of their own or for any purpose other than the payment of lawful marketing charges and the remittance of net proceeds to the consignors of livestock;
- failing to maintain their Custodial Account for Shippers' Proceeds;
- failing to remit the net proceeds due from the sale of livestock on a commission basis; and
- issuing custodial checks without having sufficient funds to cover checks.

Robert and Patricia Trindade are suspended for five years. Any time after three years, if Robert and Patricia Trindade demonstrate circumstances warranting the termination of the consent decision, the consent decision can be modified if they comply with the plan of restitution outlined in the Understanding. Further, the order may be modified upon application to Packers and Stockyards Program to permit Respondents' salaried employment by a specified registrant or packer for so long as Respondents continue to comply with the plan of restitution outline in the Understanding.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 151-12

Contact:
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Robert Morales Cattle Company, d/b/a K-M Cattle, and Robert Morales Have Been Assessed a Civil Penalty of \$16,500

WASHINGTON, June 5, 2012 – On March 6, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Robert Morales Cattle Company (Morales Cattle), doing business as K-M Cattle, and Robert Morales (R. Morales)

R. Morales and Morales Cattle have been ordered to cease and desist from:

- failing to pay, when due, the full purchase price of livestock; and
- failing to issue scale tickets in conformity with the requirements of 9 C.F.R. §§ 201.49 and 201.73-1.

R. Morales and Morales Cattle are ordered to keep and maintain records which fully and correctly disclose the true nature of all transactions involved in its business. They have been assessed a civil penalty of \$16,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 152-12

Contact:
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USDA Issues an Order Lifting Stay Order With Respect to Todd Syverson, d/b/a Syverson Livestock Brokers

WASHINGTON, June 11, 2012 – On November 16, 2010, the U.S. Department of Agriculture’s Judicial Officer issued a Decision on remand against Todd Syverson (Syverson), doing business as Syverson Livestock Brokers. The Decision and Order resulted from a Complaint filed against Syverson by the Grain Inspection, Packers and Stockyards Administration (GIPSA) in 2004. The Judicial Officer’s Decision and Order suspended Syverson as a registrant under the Packers and Stockyards (P&S) Act for a period of 16 months.

A stay order was issued on December 22, 2010, that delayed implementation of the suspension period while the Judicial Officer’s Decision and Order was pending judicial review.

On May 17, 2012, Syverson and GIPSA filed a joint motion to lift stay order stating proceedings for judicial review are concluded and requesting that the Judicial Officer lift the December 22, 2010, stay order and make the order issued in the decision on remand effective on June 1, 2012.

As a result, Syverson has been ordered to cease and desist from:

- representing to any buyer that his cost of cattle is based on a “purchase price” resulting from the “purchase” of cattle from his own inventory unless he discloses that he bought the cattle from his own consignment and his initial purchase price of the cattle; and
- failing without good cause to produce for examination, within a reasonable time when asked by GIPSA, all of the accounts, records, and memoranda as required be kept under section 401 of the P&S Act (7 U.S.C. § 221).

Syverson is suspended as a registrant for a period of 16 months; however, this order may be modified upon application to the Packers and Stockyards Program to permit



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News Release

Release No.: 153-12

Contact:
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GIPSA Settles a Case with Charles Rickey Johnson Resulting in a \$3,000 Penalty

WASHINGTON, June 11, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Charles Rickey Johnson, Glasgow, Ky. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that he failed to pay, when due, for livestock purchased.

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News Release

Release No.: 154-12

Contact:
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GIPSA Settles a Case with John R. Carson, d/b/a Carson Livestock & Trucking Resulting in a \$1,200 Penalty

WASHINGTON, June 11, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

John R. Carson, doing business as Carson Livestock & Trucking, Liberty, Ind. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,200 after GIPSA found that he failed to pay, when due, for livestock purchased.

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News Release

Release No.: 155-12

Contact:
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GIPSA Alleges EROB, Inc., d/b/a Eel River Organic Beef, Inc., d/b/a Eel River Organic Beef and Clinton J. Victorine Violated the Packers and Stockyards Act

WASHINGTON, June 11, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that EROB, Inc. (EROB), doing business as Eel River Organic Beef, Inc., doing business as Eel River Organic Beef, Fortuna, Calif., and Clinton J. Victorine (Victorine), Hydesville, Calif.:

- purchased livestock and failed to pay, when due, the full purchase price for the livestock;
- utilized written contracts lacking the packer trust waivers required under section 201.200 of the regulations (9 C.F.R. § 201.200) in order to be valid credit agreements under section 409(b) of the Packers and Stockyards (P&S) Act (7 U.S.C. § 228b (b)); and
- had current liabilities that exceeded their current assets.

GIPSA filed a complaint against EROB and Victorine on May 16, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, EROB and Victorine may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

EROB, under the direction management, and control of Victorine was engaged in the business of buying livestock in commerce for the purpose of slaughter, and of manufacturing or preparing meats or meat products for sale or shipment in commerce. EROB is also a packer and subject to the provisions of the P&S Act.

Victorine was President, Chief Executive Officer, Chief Financial Officer, and Secretary of EROB. He also owns 65% of the stock issued by EROB and is the alter ego of EROB.



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News Release

Release No.: 157-12

Contact:
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Donald D. Baker Cattle Company, LLC and Donald D. Baker Have Been Assessed a Civil Penalty of \$14,225

WASHINGTON, June 14, 2012 – On May 31, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Donald D. Baker Cattle Company, LLC (Baker Cattle) and Donald D. Baker (Baker), Galax, Va.

Baker Cattle and Baker have been ordered to cease and desist from purchasing livestock and failing to pay, when due, the full purchase price for the livestock.

Baker Cattle and Baker have been assessed a civil penalty of \$14,225.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 158-12

Contact:
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Murray L. Edwards Has Been Suspended as a Registrant for Five Years

WASHINGTON, June 14, 2012 – On May 31, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Murray L. Edwards (Edwards).

Edwards has been ordered to cease and desist from:

- purchasing livestock and failing to pay, when due, the full purchase price for the livestock; and
- issuing checks in payment for livestock without having and maintaining sufficient funds available.

Edwards is suspended as a registrant for five years, however, upon application to the Packers and Stockyards Program, a supplemental order may be issued terminating the suspension of Edwards' registration any time after one year if he demonstrates the he is in full compliance with the Packers and Stockyards (P&S) Act.

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News Release

Release No.: 159-12

Contact:
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Cheryl Slover and Johnny Slover Have Been Ordered to Cease and Desist from Engaging in any Activity for which Bonding is Required

WASHINGTON, June 14, 2012 – On March 27, 2012, the U.S. Department of Agriculture issued a default decision against Cheryl Slover and Johnny Slover which became final and effective on May 14, 2012.

Cheryl and Johnny Slover were found unfit to engage in business of a livestock dealer or market agency and their application for registration has been denied under the Packers and Stockyards (P&S) Act. Cheryl and Johnny Slover have been ordered to cease and desist from engaging in business in any capacity for which bonding is required without first registering and filing and maintaining an adequate bond.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 160-12

Contact:
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GIPSA Settles a Case with Empire Livestock Marketing, LLC Resulting in a \$4,300 Penalty

WASHINGTON, June 14, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Empire Livestock Marketing, LLC, East Syracuse, N.Y. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,300 after GIPSA found that they had key employees who bought out of consignment. They created false or misleading records in connection with their activities subject to the P&S Act.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 161-12

Contact:
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GIPSA Settles a Case with John Bradley “Brad” Hauerland and Hauerland Livestock Company, LLC, d/b/a Columbus Livestock Co., and JB Cattle Co. Resulting in a \$4,200 Penalty

WASHINGTON, June 14, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

John Bradley “Brad” Hauerland and Hauerland Livestock Company, LLC, doing business as Columbus Livestock Co., and JB Cattle Co., Columbus, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,200 after GIPSA found that they had custodial account shortages and failed to pay within the time period required by the P&S Act.

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News Release

Release No.: 162-12

Contact:
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National Beef Packing Company, LLC Is Assessed a Civil Penalty of \$32,500

WASHINGTON, June 18, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with National Beef Packing Company, LLC (National Beef), Kansas City, Mo. on June 12, 2012. National Beef has been ordered to cease and desist from:

- failing to disclose or make known to livestock sellers an accurate accounting of the cattle purchased by National Beef, including but not limited to failing to adequately identify and correct data errors prior to determining the final pricing of cattle purchased by National Beef pursuant to quality-based pricing grids;
- failing to disclose or make known to livestock sellers, the correct freight charge deductions taken on cattle purchased by National Beef pursuant to quality-based pricing grids;
- failing to disclose or make known to livestock sellers data errors that affect the prices National Beef pays for cattle purchased pursuant to quality-based pricing grids; and
- failing to maintain and operate an accurate scale for the purpose of determining livestock carcass weights including but not limited to operating a scale that fails to meet the applicable accuracy tolerances for dynamic monorail scales contained in the General Code, Scale Code, and Weights Code of the 2009 edition of the National Institute of Standards and Technology (NIST) Handbook 44, “Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices.”

National Beef has been assessed a civil penalty of \$32,500.

The consent decision resolves charges that were filed on June 11, 2012, in which GIPSA alleged that, National Beef:

incorrectly disclosed to livestock sellers the freight charge it was deducting in grid-based

pricing calculations;

- used incorrect boxed beef sales data for the week ending May 3, 2008, which resulted in underpayments and overpayments to some producers whose cattle were priced using National Beef's quality-based pricing grids during the time period of May 5, 2008 through May 31, 2008;
- incorrectly calculated the threshold values that it used in some of its quality-based pricing grids during the time period of June 23, 2008 through July 19, 2008, which resulted in underpayments and overpayments to some producers whose cattle were priced using National Beef's quality-based pricing grids during that time period; and
- failed to maintain and operate an accurate scale for the purpose of determining livestock carcass weights at National Beef's slaughter facility in Liberal, Kan., in that on August 11, 2010 and August 12, 2010, National Beef's scale at the Liberal plant failed to meet applicable accuracy tolerances for dynamic monorail scales established by NIST Handbook 44. The use of an inaccurate scale may have resulted in overpayments to some cattle sellers whose cattle were weighed on August 11, 2010, and may have resulted in overpayments and underpayments to some cattle sellers whose cattle were weighed on August 12, 2010.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 163-12

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Alleges Freightout.com, LLC and Lloyd H. Minifie Violated the Packers and Stockyards Act

WASHINGTON, June 21, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Freightout.com, LLC and Lloyd H. Minifie (Minifie), Moriarty, N.M.:

- purchased livestock in commerce and failed to pay, when due, the full purchase price for the livestock; and
- purchased livestock in commerce without having and maintaining a reasonable bond or bond equivalent.

GIPSA filed a complaint against Freightout.com, LLC and Minifie on June 7, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Freightout.com, LLC and Minifie may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Minifie, with his wife Susan Minifie, at all times was an owner of Freightout.com, LLC. Minifie was responsible for the direction, management, and control of Freightout.com, LLC. Freightout.com, LLC and Minifie were engaged in the business of buying livestock in commerce for the purpose of slaughter, and of manufacturing or preparing meats or meat food products for sale or shipment in commerce. They are also packers and subject to the provisions of the P&S Act.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 164-12

Contact:
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Catherine.M.Grasso@usda.gov

James M. Brantley and James H. Brantley, d/b/a Southeastern Provision, LLC Have Been Assessed a Civil Penalty of \$5,000

WASHINGTON, June 21, 2012 – On June 12, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with James M. Brantley and James H. Brantley, doing business as Southeastern Provision, LLC (Southeastern) Bean Station, Tenn.

James M. Brantley, James H. Brantley and Southeastern have been ordered to cease and desist from:

- failing, in connection with its purchase of livestock on a carcass grade and weight basis, to use hooks, rollers, gambrels, and other equipment that were uniform in weight;
- operating a monorail scale in connection with its purchases of livestock without a printing device connected to the scale to record the weights on a scale ticket or other document;
- using a tare that is in excess of the average weight of the hooks, rollers, gambrels, and other equipment used in connection with the weighing of carcasses; and
- failing to purchase carcasses paid according to the actual hot weight recorded on the kill sheets when purchasing carcasses on a grade and yield basis.

James M. Brantley, James H. Brantley and Southeastern have been assessed a civil penalty of \$5,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 165-12

Contact:
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GIPSA Settles a Case with Landes Fresh Meats, Inc., Keith Landes and Mark Landes Resulting in a \$1,775 Penalty

WASHINGTON, June 21, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Landes Fresh Meats, Inc., Keith Landes and Mark Landes, Clayton, Ohio -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,775 after GIPSA found that they had 11 purchase transactions that were paid 3 to 15 days past the payment due date required by the P&S Act and regulations.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 166-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles a Case with Gene Taulman Resulting in a \$2,950 Penalty

WASHINGTON, June 21, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Gene Taulman, Maramec, Okla. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,950 after GIPSA found that he failed to pay, when due, for livestock purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 167-12

Contact:
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Robert Witt and Thomas Witt Are Assessed a \$5,000 Civil Penalty

WASHINGTON, June 26, 2012 – On June 14, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Robert Witt and Thomas Witt.

Robert and Thomas Witt have been ordered to cease and desist from:

- operating with a shortage in the custodial account;
- failing to deposit into the custodial account, within the time prescribed by section 201.42 of the Regulations (9 C.F.R. § 201.42) an amount equal to the proceeds receivable from the sale of consigned livestock; and
- consenting to the withdrawal of bank charges from the custodial account.

Robert and Thomas Witt have been assessed a civil penalty of \$5,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 168-12

Contact:
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Bro Pack, Inc., and Andrew Broberg Are Assessed a \$5,000 Civil Penalty

WASHINGTON, June 26, 2012 – On June 12, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Bro Pack, Inc., and Andrew Broberg, Pico Rivera, Calif.

Bro Pack, Inc. and Andrew Broberg have been ordered to cease and desist from:

- operating with a shortage in their custodial account; and
- failing to deposit into their custodial accounts, within the time prescribed by section 201.42 of the Regulations (9 C.F.R. § 201.42) an amount equal to the proceeds receivable from the sale of consigned livestock and to the withdrawal of bank charges from their custodial account.

Bro Pack, Inc. and Andrew Broberg have been assessed a civil penalty of \$5,000. The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 169-12

Contact:
Catherine M. Grasso, (202) 720-7201
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Stagno's Meat Company, Inc., is Assessed a \$20,000 Civil Penalty

WASHINGTON, June 26, 2012 – On June 12, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Stagno's Meat Company, Inc. (Stagno's), Modesto, Calif.

Stagno's has been ordered to cease and desist from:

- failing to pay for livestock on actual hot weights; and
- charging a "kill charge" service fee in each transaction.

Stagno's has been assessed a civil penalty of \$20,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 170-12

Contact:
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Nebraska Beef, Ltd. is Assessed a \$15,000 Civil Penalty

WASHINGTON, June 26, 2012 – On June 20, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Nebraska Beef, Ltd., Omaha, Neb.

Nebraska Beef, Ltd. has been ordered to cease and desist from failing to meet applicable accuracy standards as established by the National Institute of Standards and Technology with regard to the dynamic monorail scale on the kill floor at Nebraska Beef, Ltd.'s processing plant in Omaha, Neb.

Nebraska Beef, Ltd. has been assessed a civil penalty of \$15,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 171-12

Contact:
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Richard Hale is Assessed a \$20,000 Civil Penalty

WASHINGTON, June 26, 2012 – On June 18, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Richard Hale.

Richard Hale has been ordered to cease and desist from failing to pay, when due, for livestock purchases.

Richard Hale has been assessed a civil penalty of \$20,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 172-12

Contact:
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GIPSA Settles a Case with Jason Peeler, d/b/a Spur Cattle Company Resulting in a \$1,000 Penalty

WASHINGTON, June 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Jason Peeler, d/b/a Spur Cattle Company, El Campo, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that he operated without registration and financial instrument in 12 purchase transactions of livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 173-12

Contact:
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GIPSA Settles a Case with Darrell Weltin, Weltin Meat Packing Resulting in a \$5,200 Penalty

WASHINGTON, June 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Darrell Weltin, Weltin Meat Packing, Minden City, Mich. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$5,200 after GIPSA found that he failed to pay, when due, for livestock invoices in 19 separate transactions.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 174-12

Contact:
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GIPSA Alleges West Coast Commodities, LLC, d/b/a M. Partlow Co., and Michael Paul Partlow Violated the Packers and Stockyards Act

WASHINGTON, July 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that West Coast Commodities (West Coast Commodities), LLC, doing business as M. Partlow Co. and Michael Paul Partlow (Partlow), Portland, Ore.

- bought and sold livestock in commerce without being registered with the Secretary of Agriculture and did not maintain an adequate bond;
- failed to pay, when due, the full purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act;
- issued a check in payment for livestock without having or maintaining sufficient funds available; and
- failed to keep and maintain records which fully and correctly disclosed all transaction involved in their business.

GIPSA filed a complaint against West Coast Commodities and Partlow on June 15, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, West Coast Commodities and Partlow may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

West Coast Commodities under the direction, management, and control of Partlow is engaged in the business of a dealer buying and selling livestock in commerce and is not registered with the Secretary of Agriculture.

Partlow is president, sole owner, and responsible for the direction, management and control of West Coast Commodities. Partlow is also engaged in the business of a dealer buying and selling livestock in commerce and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 175-12

Contact:
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GIPSA Alleges New Lee's Live Poultry Market, Inc. and Shen Chen Violated the Packers and Stockyards Act

WASHINGTON, July 5, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that New Lee's Live Poultry Market, Inc. (New Lee), Brooklyn, N.Y. and Shen Chen (Chen) failed to pay, when due, for live poultry.

GIPSA filed a complaint against New Lee and Chen on June 21, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, New Lee and Chen may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

New Lee was engaged in the business of obtaining live poultry by purchase in commerce for the purpose of slaughter and as a live poultry dealer subject to the provisions of the P&S Act. Chen was president of New Lee; 100% owner of New Lee, and responsible for the direction, management, and control of New Lee.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 176-12

Contact:
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Pasqual A. Leone, d/b/a P.A. Leone Livestock Is Assessed a \$8,500 Civil Penalty

WASHINGTON, July 5, 2012 – On June 15, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Pasqual A. Leone (Leone), doing business as P.A. Leone Livestock, Rome, N.Y. Leone has been ordered to cease and desist from:

- altering or fabricating purchase invoices from livestock auctions;
- presenting altered or fabricated purchase invoices to the purchasers of livestock; and
- creating false business records showing the origin or purchase price of livestock.

Leone has been assessed a civil penalty of \$8,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 177-12

Contact:
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Bruce Camenzind Is Assessed a \$30,000 Civil Penalty

WASHINGTON, July 5, 2012 – On June 25, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Bruce Camenzind (Camenzind).

Camenzind has been ordered to cease and desist from:

- failing to pay and failing to pay, when due, the full purchase price of livestock; and
- failing to have and maintain sufficient funds on deposit and available in the account upon which checks are drawn to pay them when presented.

Camenzind has been assessed a civil penalty of \$30,000, of which \$25,000 will be held in abeyance for a period of 18 months in accordance with the terms and conditions agreed upon. If Camenzind violates the conditions of the cease and desist order during the 18-month period, the \$25,000 will become due and payable after being afforded an opportunity for a hearing.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 178-12

Contact:
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Stony Pike Livestock Commission, Inc., Ronald R. Bullard, Jr. and Kevin R. Bullard Are Assessed a \$2,500 Civil Penalty

WASHINGTON, July 5, 2012 – On June 25, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Stony Pike Livestock Commission, Inc. (Stony Pike), Ronald R. Bullard, Jr. (R. Bullard) and Kevin R. Bullard (K. Bullard), Logansport, Ind.:

Stony Pike, R. Bullard, and K. Bullard have been ordered to cease and desist from:

- operating with a shortage in the custodial account;
- failing to properly maintain their Custodial Account for Shippers’ Proceeds; and
- failing to fully reimburse the custodial account within the times prescribed in section 201.42 of the regulations (9 C.F.R. § 201.42).

Stony Pike, R. Bullard, and K. Bullard have been assessed a civil penalty of \$2,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 179-12

Contact:
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Dwight Gregory “Greg” Cox is Barred from Registering under the Packers and Stockyards Act for Five Years

WASHINGTON, July 5, 2012 – On April 25, 2012, the U.S. Department of Agriculture issued a default decision against Dwight Gregory “Greg” Cox (Cox) which became final and effective on June 28, 2012.

Cox has been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act and regulations without filing and maintaining an adequate bond;
- engaging in business in any capacity for which bonding is required under the P&S Act and regulations without first becoming properly registered under the P&S Act;
- purchasing livestock and failing to pay for livestock purchases the full amount of the purchase price for livestock within the time period required by the P&S Act; and
- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit and available in the accounts upon which they are drawn to pay the checks when presented.

Cox is barred from registering under the P&S Act for a period of five years and is prohibited from operating as a dealer or market agency without being registered.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 180-12

Contact:
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GIPSA Settles a Case with Florence Livestock, Inc., Doug and Angela Florence Resulting in a \$2,500 Penalty

WASHINGTON, July 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Florence Livestock, Inc., Doug and Angela Florence, Coldwater, Ohio -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that they failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 181-12

Contact:
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GIPSA Settles a Case with Wing Commission, Ltd., and WW&W, LLC, and Matt C. Wing and Jeana Wing, d/b/a Cattleman's Livestock Commission Co., and d/b/a Hereford Livestock Auction Resulting in a \$4,000 Penalty

WASHINGTON, July 5, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Wing Commission, Ltd. and WW&W, LLC and Matt C. Wing and Jeana Wing (Wing Commission), doing business as Cattleman's Livestock Commission, Co. (CLCC) and doing business as Hereford Livestock Auction (HLA), Dalhart, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,000 after GIPSA found that they operated with a shortage in the custodial account.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 182-12

Contact:
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GIPSA Settles a Case with Tommy B. Welch Resulting in a \$3,000 Penalty

WASHINGTON, July 5, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Tommy B. Welch, Sophia, N.C. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that he failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 183-12

Contact:
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GIPSA Settles a Case with Mallicote, Inc., d/b/a Cattlemen's Livestock Commission Co., Charles Mallicote and Laurie Mallicote Resulting in a \$4,000 Penalty

WASHINGTON, July 5, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Mallicote, Inc., doing business as Cattlemen's Livestock Commission Co., Charles Mallicote and Laurie Mallicote, Paris, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,000 after GIPSA found that they issued NSF custodial checks and failed to remit sales proceeds to consignors when due in August 2009.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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Lester J. Gemmen, Jr. Is Assessed a \$1,500 Civil Penalty

WASHINGTON, July 5, 2012 – On June 27, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Lester J. Gemmen, Jr. (Gemmen):

Gemmen has been ordered to cease and desist from failing to pay, when due, the full purchase price of livestock.

Gemmen has been assessed a civil penalty of \$1,500.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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GIPSA Alleges Anderson Livestock Auction, Co., and Jerry Anderson Violated the Packers and Stockyards Act

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Anderson Livestock Auction, Co. (Anderson Livestock), and Jerry Anderson (Anderson), Willard, Utah:

- failed to properly maintain its custodial account in that it was operating with custodial account shortages;
- failed to deposit in the custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable for sales of consigned livestock; and
- misused shippers’ funds in the custodial account to pay bank fees.

GIPSA filed a complaint against Anderson Livestock and Anderson on July 9, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Anderson Livestock and Anderson may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Anderson Livestock, under the direction, management, and control of Anderson, engaged in the business of conducting and operating Anderson Livestock, a posted stockyard under and subject to the P&S Act; engaged in the business of a dealer buying and selling livestock in commerce and as a market agency selling consigned livestock on a commission basis in commerce; and is registered with the Secretary of Agriculture.

Anderson is president, 100% owner, and responsible for the direction, management and control of Anderson Livestock; engaged in the business of conducting and operating Anderson Livestock, a stockyard posted under and subject to the P&S Act; and engaged in the business of a dealer buying and selling livestock in commerce and as a market agency selling consigned livestock on a commission basis in commerce.



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News Release

Release No.: 186-12

Contact:
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GIPSA Alleges Lacy Bowman Livestock Co., Inc., and Lacy Bowman Violated the Packers and Stockyards Act

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Lacy Bowman Livestock Co., Inc. (Lacy Bowman Livestock), and Lacy Bowman (Bowman), Hillsville, Va., failed to pay, when due, the full purchase price for livestock purchases.

GIPSA filed a complaint against Lacy Bowman Livestock and Bowman on June 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Lacy Bowman Livestock and Bowman may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Lacy Bowman Livestock under the direction, management, and control of Bowman engaged in the business of a dealer buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

Bowman is the president and sole owner of Lacy Bowman Livestock, Inc. and responsible for the direction, management and control of Lacy Bowman Livestock, and the alter ego of Lacy Bowman Livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 187-12

Contact:
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GIPSA Alleges Intermountain Livestock, Inc., and Dennis Arnzen Violated the Packers and Stockyards Act

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Intermountain Livestock, Inc. (Intermountain), and Dennis Arnzen (Arnzen), La Grande, Ore.:

- failed to properly maintain its custodial account in that it was operating with custodial account shortages; and
- failed to deposit in the custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable for sales of consigned livestock.

GIPSA filed a complaint against Intermountain and Arnzen on July 5, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Intermountain and Arnzen may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Intermountain, under the direction, management, and control of Arnzen, engaged in the business of conducting and operating Intermountain, a posted stockyard under and subject to the P&S Act; engaged in the business of a dealer buying and selling livestock in commerce and as a market agency buying and selling livestock on a commission basis in commerce; and is registered with the Secretary of Agriculture.

Arnzen is president, 100% owner, and responsible for the direction, management and control of Intermountain; engaged in the business of conducting and operating Intermountain, a stockyard posted under and subject to the P&S Act; and engaged in the business of a dealer buying and selling livestock on a commission basis in commerce.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 188-12

Contact:

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GIPSA Alleges Magic Valley Buying Station, Inc., Eric Drees and Mindy Drees Violated the Packers and Stockyards Act

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Magic Valley Buying Station, Inc. (Magic Valley), Eric Drees and Mindy Drees, Goodling, Idaho:

- purchased livestock and failed to pay, when due, the full purchase price for the livestock purchased; and
- as of the date of this complaint, \$93,621.68 remains unpaid for livestock purchases.

GIPSA filed a complaint against Magic Valley, Eric and Mindy Drees on May 31, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Magic Valley, Eric and Mindy Drees may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Magic Valley engaged in business of a livestock dealer and market agency buying and selling livestock in commerce on a commission basis; and is registered with the Secretary. Magic Valley was administratively dissolved by the State of Idaho on February 8, 2011.

Eric Drees was President of Magic Valley; named as the incorporated and registered agent of Magic Valley in its Articles of Incorporation; 50% owner of the stock issued by Magic Valley; and in conjunction with Mindy Drees, responsible for the direction, management and control of Magic Valley.

Mindy Drees was Secretary/Treasurer of Magic Valley; 50% owner of the stock issued by Magic Valley; and in conjunction with Eric Drees, responsible for the direction, management and control of Magic Valley.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 189-12

Contact:
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GIPSA Alleges Abram Khaimov Violated The Packers and Stockyards Act

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Abram Khaimov (Khaimov), also known as Abe Khaimov:

- purchased livestock and failed to pay, when due, the full purchase price for the livestock;
- as of the date of this complaint \$79, 741.52 remained unpaid to the sellers; and
- failed to keep and maintain records which fully and correctly disclosed all transactions involved in his business.

GIPSA filed a complaint against Khaimov on March 28, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Khaimov may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Khaimov, doing business in his own name and as Royal Meat, Inc., was engaged in the business of buying livestock in commerce for the purpose of slaughter and is a packer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 190-12

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GIPSA Alleges Southern Colorado Livestock Auction, Inc., and John R. Malouff, Jr., Violated the Packers and Stockyards Act

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Southern Colorado Livestock Auction, Inc. (Southern Colorado Livestock), and John R. Malouff, Jr. (Malouff), Monte Vista, Colo.:

- failed to properly use and maintain its custodial account;
- had numerous outstanding checks drawn on their custodial account and had to offset such checks, resulting in a custodial account shortage; and
- failed to deposit in the custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable for sales of consigned livestock.

GIPSA filed a complaint against Southern Colorado Livestock and Malouff on June 22, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Southern Colorado Livestock and Malouff may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Southern Colorado Livestock under the direction, management, and control of Malouff engaged in the business of conducting and operating Southern Colorado Livestock, a posted stockyard; and as a market agency selling consigned livestock on a commission basis in commerce; and is registered with the Secretary of Agriculture.

Malouff was president, sole owner, and responsible for the direction, management and control of Southern Colorado Livestock. Malouff also engaged in the business of conducting and operating Southern Colorado Livestock, a posted stockyard; and engaged in the business of a market agency selling consigned livestock on a commission basis in commerce.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Norberto Gonzalez, a/k/a Tito Gonzalez, d/b/a TG Cattle Has Been Ordered to Cease and Desist

WASHINGTON, July 20, 2012 – On July 6, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Norberto Gonzalez, also known as Tito Gonzalez (Gonzalez), doing business as TG Cattle, Falfurrias, Texas:

Gonzalez has been ordered to cease and desist from:

- failing to pay, when due, the full purchase price of livestock; and
- failing to pay the full purchase price for livestock purchases.

Gonzalez has been ordered to keep and maintain accounts, records, and memoranda, which fully and correctly discloses the true nature of all transactions involved in his business subject to the Packers and Stockyards (P&S) Act.

He has also been suspended for a period of three years and seven months. After the first 90 days of the suspension period if he demonstrates to the satisfaction of the Packers and Stockyards Program that he has repaid money owed, a supplemental order may be issued terminating the suspension.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Boswell Livestock Commission Co., Inc., Ronald R. Bullard, Jr. and Kevin R. Bullard Have Been Assessed a \$3,000 Civil Penalty

WASHINGTON, July 20, 2012 – On July 6, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Boswell Livestock Commission Co., Inc. (Boswell Livestock), Boswell, Ind., Ronald R. Bullard, Jr. (R. Bullard) and Kevin R. Bullard (K. Bullard).

Boswell Livestock, R. Bullard and K. Bullard have been ordered to cease and desist from:

- failing to properly maintain their Custodial Account for Shippers' Proceeds;
- failing to fully reimburse the custodial account within the times prescribed in section 201.42 of the regulations (9 C.F.R. § 201.42);
- failing to otherwise maintain the custodial account; and
- failing to charge all consignors the correct posted rates and charges specified in their schedule of rates and charges filed with the Secretary of Agriculture and in effect at the time such services are furnished.

Boswell Livestock, R. Bullard, and K. Bullard have been ordered to keep and maintain accounts, records, and memoranda, which fully and correctly disclose the true nature of all transactions involved in all business subject to the Packers and Stockyards (P&S) Act.

They have also been assessed a \$3,000 civil penalty.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 193-12

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Rick Shannon Has Been Assessed a \$3,750 Civil Penalty

WASHINGTON, July 20, 2012 – On April 24, 2012, the U.S. Department of Agriculture issued a default decision against Rick Shannon (Shannon), Blocker, Okla., which became final and effective on June 28, 2012.

Shannon has been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act and regulations without filing and maintaining an adequate bond; and
- engaging in business in any capacity for which bonding is required under the P&S Act and regulations without first becoming properly registered under the P&S Act.

Shannon has been ordered to keep and maintain accounts, records, and memoranda, which fully and correctly discloses the true nature of all transactions involved in his business subject to the P&S Act.

Shannon is barred from registering to engage in business subject to the P&S Act for a period of 30 days from the date of issuance of this Order. After the expiration of this 30 day time period, Shannon may submit an application for registration to the Packers and Stockyards Program along with the required bond or bond equivalent.

Shannon has been assessed a \$3,750 civil penalty.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 194-12

Contact:
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GIPSA Settles a Case with Danny R. Hill Resulting in a \$1,000 Penalty

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Danny R. Hill, Lincoln, Ala. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that he failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries



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News Release

Release No.: 195-12

Contact:
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GIPSA Settles a Case with Nancy Schrock, Midwest Exchange Resulting in a \$500 Penalty

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Nancy Schrock, Midwest Exchange, Mexico, Mo. -- waived her right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that she had custodial account shortages, NSF checks, and failed to timely remit.

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GIPSA Settles a Case with Richard G. Witt Resulting in a \$1,125 Penalty

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Richard G. Witt, Salem, Neb. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,125 after GIPSA found that he failed to pay, when due, for livestock.

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News Release

Release No.: 197-12

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GIPSA Alleges JLA, LLC, dba Marshall Livestock Auction, Carey Jones, and Martha Jones Violated the Packers and Stockyards Act

WASHINGTON, July 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that JLA (JLA), LLC, doing business as Marshall Livestock Auction, Carey Jones and Martha Jones, Marshall, Mo.:

- failed to properly maintain its Custodial Account for Shippers’ Proceeds endangering the faithful and prompt accounting and payment of portions due to the owners or consignors of livestock;
- failed to deposit in its custodial account amounts equal to the proceeds receivable from the sale of consigned livestock; whether or not such proceeds had been collected by the market agency;
- misused its custodial account by withdrawing funds for a purpose other than (1) for payment of the net proceeds to the consignor or shipper, or to any person that the market agency knows is entitled to payment; (2) to pay lawful charges against the consignment of livestock which the market agency shall, in its capacity as agent, be required to pay, or (3) to obtain any sums due the market agency as compensation for its services;
- generated false invoices for two livestock buyers; and
- failed to keep and maintain records which fully and correctly disclosed all of the transactions involved in their business.

GIPSA filed a complaint against JLA and Carey and Martha Jones on April 11, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, JLA and Carey and Martha Jones may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

JLA engaged in the business of a market agency selling livestock in commerce on a commission basis and is registered with the Secretary of Agriculture.

Carey and Martha Jones were the owners of JLA; corporate officers and corporate directors of JLA; responsible for the day-to-day management, direction, and control of JLA; and engaged in the business of a market agency subject to the provisions of the P&S Act.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 198-12

Contact:
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Michael V. Bott and Tony Bott Have Been Assessed A \$34,000 Civil Penalty

WASHINGTON, July 20, 2012 – On March 9, 2012, the U.S. Department of Agriculture issued a default decision against Michael V. Bott and Tony Bott, Rupert, Idaho, which became final and effective on May 8, 2012.

Michael V. Bott and Tony Bott have been ordered to cease and desist from failing to pay, when due, the full purchase price of livestock.

They have also been order to keep records that fully and correctly disclose all transactions involved in their business, as required by section 401 of the Packers and Stockyards (P&S) Act (7 U.S.C. § 221), including trucking or freight invoices and load make-up sheets.

Michael V. Bott and Tony Bott have been assessed a \$34,000 civil penalty.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 199-12

Contact:
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Kao Vang and Chue Thao, d/b/a California Fresh Meats Have Been Assessed a \$12,508.64 Civil Penalty

WASHINGTON, July 20, 2012 – On March 27, 2012, the U.S. Department of Agriculture issued a default decision against Kao Vang (Vang) and Chue Thao (Thao), doing business as California Fresh Meats, Sanger, Calif., which became final and effective on June 21, 2012. Vang and Thao have been ordered to cease and desist from:

- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit and available in the bank account upon which they are drawn to pay such checks when presented;
- failing to pay, when due, the full purchase price of livestock; and
- failing to pay the full purchase price of livestock.

Vang and Thao are suspended as registrants under the Packers and Stockyards (P&S) Act for a period of five years.

Vang and Thao have been assessed a \$12,508.64 civil penalty.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 200-12

Contact:
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GIPSA Alleges Wilson Horse & Mule Sale, Inc. Violated the Packers and Stockyards Act

WASHINGTON, July 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Wilson Horse & Mule Sale, Inc., Cookeville, Tenn.:

- failed to properly maintain its custodial in that it was operating with custodial account shortages;
- its current liabilities exceeded its current assets; and
- misused shipper’s funds in the custodial account to pay bank fees.

GIPSA filed a complaint against Wilson Horse and Mule Sale, Inc. on July 18, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Wilson Horse & Mule Sale, Inc. may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Wilson Horse & Mule Sale, Inc. engaged in the business of conducting and operating Wilson Horse & Mule Sale, Inc., a posted stockyard under and subject to the P&S Act; engaged in the business of a market agency selling consigned livestock on a commission basis in commerce; and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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GIPSA Alleges Nathan Lewis Violated the Packers and Stockyards Act

WASHINGTON, July 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Nathan Lewis, Denair, Calif.:

- failed to pay, when due, the full purchase price for livestock purchased; and
- as of April 4, 2012, there remained unpaid a total of \$35,181.39 for livestock purchases.

GIPSA filed a complaint against Nathan Lewis on July 18, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Nathan Lewis may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Nathan Lewis engaged in the business of buying livestock in commerce for slaughter; engaged in the business of manufacturing or preparing meat and meat food products for sale or shipment in commerce; and operated as a packer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 202-12

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GIPSA Settles a Case with David C. Garrett, McLane-Garrett Cattle Co., Inc. Resulting in a \$625 Penalty

WASHINGTON, July 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

David C. Garrett, President, McLane-Garrett Cattle Co., Inc., Montgomery, Ala. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$625 after GIPSA found that he failed to pay, when due, for livestock.

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GIPSA Settles a Case with Ronnie Vega Resulting in a \$625 Penalty

WASHINGTON, July 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Ronnie Vega, Yatahay, N.M. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$625 after GIPSA found that he was operating without a financial instrument.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Contact:
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GIPSA Settles a Case with Arnold Holt, Jr. Resulting in a \$3,750 Penalty

WASHINGTON, July 26, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Arnold Holt, Jr., Haysville, Kan. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,750 after GIPSA found that he was operating as a dealer with an inadequate financial instrument.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 205-12

Contact:
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GIPSA Settles a Case with Joe David & Kristy Adcock, d/b/a J.D. Adcock Livestock Resulting in a \$550 Penalty

WASHINGTON, Aug. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Joe David & Kristy Adcock, doing business as J.D. Adcock Livestock, Watkinsville, Ga. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$550 after GIPSA found that they failed to pay, when due, for livestock.

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News Release

Release No.: 206-12

Contact:
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GIPSA Settles a Case with Troy D. Denwalt and Troy D. Denwalt, Jr., d/b/a Denwalt & Son Cattle Co., LLC Resulting in a \$1,200 Penalty

WASHINGTON, Aug. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Troy D. Denwalt and Troy D. Denwalt, Jr., doing business as Denwalt & Son Cattle Co., LLC, El Reno, Okla. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,200 after GIPSA found that they failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 207-12

Contact:
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GIPSA Settles a Case with S&J Villari Livestock, LLC, Salvatore (Sam) Villari and Joseph (Joe) Villari Resulting in a \$3,000 Penalty

WASHINGTON, Aug. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

S&J Villari Livestock, LLC, Salvatore (Sam) Villari and Joseph (Joe) Villari, Warsaw, N.C. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that they failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 208-12

Contact:
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Ryan Sanders Has Been Assessed a \$7,000 Civil Penalty

WASHINGTON, Aug. 2, 2012 – On March 13, 2012, the U.S. Department of Agriculture issued a default decision against Ryan Sanders (Sanders), which became final and effective on June 27, 2012.

Sanders has been ordered to cease and desist from:

- engaging in operations subject to the Packers and Stockyards (P&S) Act without maintaining an adequate bond;
- failing to pay, when due, the full purchase of livestock; and
- issuing checks in payment for livestock purchases with insufficient funds.

Sanders is barred from registering under the P&S Act for a period of two years from the date of entry of the Decision.

Sanders has been assessed a \$7,000 civil penalty.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 209-12

Contact:
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Philip Ambrose is Assessed a \$4,000 Civil Pe

WASHINGTON, Aug. 2, 2012 – On January 26, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision and order by reason of admissions with Philip Ambrose, which became final on June 7, 2012. Philip Ambrose has been ordered to cease and desist from engaging in business in any capacity for which bonding is required.

Philip Ambrose was suspended as a registrant under the Packers and Stockyards (P&S) Act for a period of 180 days, which will be held in abeyance for three years on the condition that he complies with the registration and bonding provisions of the P&S Act and regulations and that he timely files all annual and special reports and that he pay the full assessed civil penalty. He has been assessed a civil penalty of \$4,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 210-12

Contact:
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GIPSA Alleges David Byrd, d/b/a DB Cattle Co., and also d/b/a AD Byrd Cattle Violated the Packers and Stockyards Act

WASHINGTON, Aug. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that David Byrd, doing business as DB Cattle Co., and also doing business as AD Byrd Cattle:

- purchased livestock without maintaining an adequate bond or bond equivalent;
- issued checks without having sufficient funds available in the account the checks were drawn from;
- failed to pay, when due, for livestock purchases; and
- as of April 30, 2011, \$229,337.77 remains unpaid.

GIPSA filed a complaint against David Byrd on July 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, David Byrd may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

David Byrd engaged in the business of a dealer buying and selling livestock in commerce; engaged in the business of a market agency buying livestock in commerce on a commission basis; and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 211-12

Contact:
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GIPSA Alleges Gary Fulton Violated the Packers and Stockyards Act

WASHINGTON, Aug. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gary Fulton, Lewiston, Ill., purchased livestock and failed to pay, when due, for the livestock purchases. He, Gary Fulton, mailed payment checks to the seller between five and six days after the sale and transfer of possession of the livestock to him.

GIPSA filed a complaint against Gary Fulton on July 25, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Gary Fulton may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Gary Fulton engaged in the business of a dealer buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 212-12

Contact:
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GIPSA Alleges Than Foote Violated the Packers and Stockyards Act

WASHINGTON, Aug. 2, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Than Foote:

- bought livestock in commerce on a commission basis without being registered and without maintaining an adequate bond;
- engaged in the business of a dealer buying and selling livestock in commerce without being registered and without maintaining an adequate bond; and
- purchased livestock and failed to pay, when due, the full amount of the purchase price for the livestock purchased.

GIPSA filed a complaint against Than Foote on July 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Than Foote may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Than Foote engaged in the business of a dealer buying and selling livestock in commerce and as a market agency buying livestock in commerce on a commission basis; and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 213-12

Contact:
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Sugarcreek Livestock Auction, Inc. and Leroy H. Baker, Jr. Are Assessed a \$10,000 Civil Penalty

WASHINGTON, Aug. 9, 2012 – On July 23, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Sugarcreek Livestock Auction, Inc. (Sugarcreek), Sugarcreek, Ohio, and Leroy H. Baker, Jr. (Baker), East Rochester, Ohio.

Sugarcreek and Baker have been ordered to cease and desist from:

- engaging in business subject to the Packers and Stockyards (P&S) Act while current liabilities exceed current assets;
- failing to maintain their “Custodial Account for Shippers’ Proceeds” in conformity with the provisions of section 201.42 of the regulations (9 C.F.R. § 201.42);
- failing to deposit in their “Custodial Account for Shippers’ Proceeds” amounts equal to the outstanding proceeds receivable from the sale of consigned livestock;
- using funds received from the sale of consigned livestock for the payment of bank fees, or for any purpose other than payment to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges;
- failing to keep and maintain accounts, records and memoranda that fully and correctly disclose all transactions involved in their business; and
- failing to pay and failing to pay, when due, the full purchase price of livestock.

Sugarcreek and Baker are, commencing August 19, 2012, suspended as registrants under the P&S Act for a period of 21 days until Sugarcreek and Baker demonstrate to the satisfaction of the Packers and Stockyards Program (P&SP) that their custodial account shortages have been corrected and current liabilities no longer exceed current assets. After the expiration of the initial 21-day suspension period, and provided that respondents demonstrate that their custodial account shortages have been corrected and current liabilities no longer exceed current assets, upon application to the P&SP, a supplemental order may be issued terminating the suspension.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 214-12

Contact:
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Michael Okragly, Cherry Okragly, and Okragly Cattle Company, Inc. Are Assessed a \$15,000 Civil Penalty

WASHINGTON, Aug. 9, 2012 – On May 15, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Michael Okragly (M. Okragly), Cherry Okragly (C. Okragly), and Okragly Cattle Company, Inc. (Okragly Cattle), Billings, Mont.:

M. Okragly, C. Okragly, and Okragly Cattle have been ordered to cease and desist from failing to pass on a pencil-shrink allowance without their customer’s knowledge and consent.

They have been assessed a civil penalty in the amount of \$15,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 215-12

Contact:
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Stagno's Meat Company, Inc. Is Assessed a \$20,000 Civil Penalty

WASHINGTON, Aug. 9, 2012 – On June 15, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Stagno's Meat Company, Inc. (Stagno's Meat), Modesto, Calif.:

Stagno's Meat has been ordered to cease and desist from:

- failing to pay for livestock on actual hot weights; and
- charging a service fee in each transaction.

Stagno's Meat has been assessed a civil penalty in the amount of \$20,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Release No.: 216-12

Contact:
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Comanche Livestock Auction, Inc. and W. Raymond Brown and Jo Ann Brown Are Assessed a \$5,000 Civil Penalty

WASHINGTON, Aug. 9, 2012 – On July 30, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Comanche Livestock Auction, Inc., and W. Raymond Brown, and Jo Ann Brown, Comanche, Okla.:

They have been ordered to cease and desist from:

- failing to properly maintain their Custodial Account for Shippers' Proceeds in strict conformity with the Packers and Stockyards (P&S) Act and section 201.42 of the regulations (9 C.F.R. § 201.42); and
- failing to deposit in the custodial account for shippers' proceeds, within the time prescribed by section 201.42 of the regulations (9 C.F.R. § 201.42), an amount equal to the proceeds receivable for sales of consigned livestock.

They have also been assessed a civil penalty in the amount of \$5,000.

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News Release

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Steven Demarest, Brenda Demarest, P. Scott Baldwin, and Deborah Baldwin, d/b/a Wyalusing Livestock Market Are Assessed a \$10,000 Civil Penalty

WASHINGTON, Aug. 9, 2012 – On August 1, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Steven Demarest, Brenda Demarest, P. Scott Baldwin, and Deborah Baldwin, doing business as Wyalusing Livestock Market (respondents), Wyalusing, Penn.

The respondents have been ordered to cease and desist from:

- failing to deposit in the Custodial Account for Shippers' Proceeds, within the time prescribed by section 201.42 of the regulations (9 C.F.R. § 201.42), amounts equal to the proceeds received or due from the sale of consigned livestock; and
- failing to otherwise maintain the Custodial Account for Shippers' Proceeds in strict conformity with the provisions of section 201.42 of the regulations (9 C.F.R. §201.42).

The respondents have been ordered to keep and maintain accounts, records, and memoranda which fully and accurately disclose the true nature of their operations subject to the Packers and Stockyards (P&S) Act and have been assessed a civil penalty in the amount of \$10,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 218-12

Contact:
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Gary N. Shifflett, Jr., d/b/a Nelson Shifflett Livestock Has Been Assessed a \$35,834.28 Civil Penalty

WASHINGTON, Aug. 9, 2012 – On May 18, 2012, the U.S. Department of Agriculture issued a default decision against Gary N. Shifflett, Jr. (Shifflett), doing business as Nelson Shifflett Livestock which became final and effective on July 23, 2012.

Shifflett has been ordered to cease and desist from:

- failing to pay the full purchase price for livestock;
- failing to pay, when due, the full purchase of livestock; and
- issuing checks in payment for livestock purchases with insufficient funds.

Shifflett has been assessed a \$35,834.28 civil penalty.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 219-12

Contact:
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United States Court of Appeals for the Third Circuit Upholds Decision Against Empire Kosher Poultry, Inc.

WASHINGTON, Aug. 16, 2012 – On April 12, 2012, the United States Court of Appeals for the Third Circuit upheld the March 8, 2011, decision issued by an U.S. Department of Agriculture Administrative Law Judge finding in favor of Grain Inspection, Packers and Stockyards Administration.

Empire Kosher Poultry, Inc. (Empire), Harrisburg, Penn., appealed the March 8, 2011, decision with the U.S. Department of Agriculture's Judicial Officer. On July 20, 2011, a U.S. Department of Agriculture Administrative Law Judge upheld the March 8, 2011, decision.

Empire has been ordered to cease and desist from failing to pay for poultry purchases within the time period required by Section 410 of the Packers and Stockyards (P&S) Act 7 U.S.C. §228b-1.

Empire has also been assessed a civil penalty in the amount of \$18,000.

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News Release

Release No.: 220-12

Contact:
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GIPSA Alleges Mason Georges Violated the Packers and Stockyards Act

WASHINGTON, Aug. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Mason Georges:

- engaged in the business of a dealer buying and selling livestock in commerce without being properly registered and without maintaining a bond or bond equivalent;
- issued checks in payment for livestock purchases which were returned unpaid; and
- purchased livestock and failed to pay, when due, for livestock purchases.

GIPSA filed a complaint against Mason Georges on July 31, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Mason Georges may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Mason Georges engaged in the business of a dealer buying and selling livestock in commerce; is a dealer; and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 221-12

Contact:
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GIPSA Settles a Case with Jason Glenn, d/b/a Western Feeders Resulting in a \$5,000 Penalty

WASHINGTON, Aug. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Jason Glenn, doing business as Western Feeders, Paso Robles, Calif. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$5,000 after GIPSA found that he was operating without a financial instrument and charged a commission and marked up the price on the same order.

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News Release

Release No.: 222-12

Contact:
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Jeremy E. Pierce and Brookfield Cattle Company, LLC Are Prohibited from Being Registered for 10 Years

WASHINGTON, Aug. 16, 2012 – On August 7, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision and order with Jeremy E. Pierce (Pierce) and Brookfield Cattle Company, LLC (Brookfield), Goreville, Ill. (mailing address) and Trenton, Fla. (principle place of business).

Pierce and Brookfield have been ordered to cease and desist from:

- buying and selling livestock in commerce without being properly registered;
- buying and selling livestock in commerce without maintaining an adequate bond;
- failing to pay and failing to pay, when due, the full purchase price of livestock; and
- failing to have and maintain sufficient funds on deposit and available in the account upon which checks are drawn for payment.

They are prohibited from being registered and engaging in any activities for which registration is required under the Packer and Stockyards (P&S) Act for a period of 10 years.

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News Release

Release No.: 223-12

Contact:
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Richard Hunter, d/b/a H&H Farms Is Assessed a \$8,000 Civil Penalty

WASHINGTON, Aug. 16, 2012 – On August 1, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Richard Hunter (Hunter), doing business as H&H Farms in Alabama.

Hunter has been ordered to cease and desist from failing to pay, when due, the full purchase of livestock.

Hunter has been assessed a civil penalty in the amount of \$8,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries



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News Release

Release No.: 224-12

Contact:
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Garden Halal Meat, LLC and Mohamed Chitaoui and Fedal Lahsane Have Been Assessed a \$15,000 Civil Penalty

WASHINGTON, Aug. 16, 2012 – On April 25, 2012, the U.S. Department of Agriculture issued a default decision against Garden Halal Meat, LLC (Garden Halal), and Mohamed Chitaoui (Chitaoui) and Fedal Lahsane (Lahsane), Boston, Mass., which became final and effective on June 4, 2012.

Garden Halal, Chitaoui, and Lahsane have been ordered to cease and desist from:

- failing to pay, when due, the full purchase price of livestock; and
- failing to pay the full purchase price of livestock.

Garden Halal, Chitaoui, and Lahsane have been order to keep accounts, records, and memoranda that fully and correctly disclose all transactions involved in their business as a packer as required by the Packers and Stockyards (P&S) Act.

They have also been assessed a \$15,000 civil penalty.

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News Release

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Contact:
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Bobby Tindel Has Been Assessed an \$8,000 Civil Penalty

WASHINGTON, Aug. 16, 2012 – On June 28, 2012, the U.S. Department of Agriculture issued a default decision against Bobby Tindel, Chandler, Texas, which became final and effective on August 7, 2012.

Bobby Tindel has been ordered to cease and desist from engaging in operations subject to the Packers and Stockyards (P&S) Act without maintaining an adequate bond or bond equivalent.

He has also been assessed an \$8,000 civil penalty.

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News Release

Release No.: 226-12

Contact:
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GIPSA Settles a Case with Circle T Cattle Company, LLC And Robert “Troy” Thibodeaux Resulting in a \$300 Penalty

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Circle T Cattle Company, LLC and Robert “Troy” Thibodeaux, Member, Church Point, La. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$300 after GIPSA found that they failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 227-12

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Settles a Case with Larry's Sausage Company, Inc., Sheila Abe Resulting in a \$3,000 Penalty

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Larry's Sausage Company, Inc., Sheila Abe, President, Fayetteville, N.C. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that they failed to pay, when due, for livestock.

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News Release

Release No.: 228-12

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Settles a Case with Randolph Packing Company, Inc. Resulting in a \$6,000 Penalty

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Randolph Packing Company, Inc., Asheboro, N.C. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$6,000 after GIPSA found that they failed to pay, when due, for livestock; failed to equip scale with a printing device; and deducted tare in excess of average trolley weight.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 228-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles a Case with Christopher Kuehne, Kuehne Livestock Sales, Inc. Resulting in a \$3,500 Penalty

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Christopher Kuehne, Kuehne Livestock Sales, Inc., Seymour, Wis. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,500 after GIPSA found that they continued to operate as a market agency selling on commission and as a livestock dealer without a financial instrument.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 230-12

Contact:
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GIPSA Alleges Jeffery D. Smith, a/k/a Jeff Smith, Dale T. Smith and Sons Packing Company, Inc., Webb Livestock, Inc., Jay Webb, and Wayne Bradshaw Violated the Packers and Stockyards Act

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jeffery D. Smith, also known as Jeff Smith (J. Smith), Dale T. Smith and Sons Packing Company, Inc. (Smith and Sons), Draper, Utah; Webb Livestock, Inc. (Webb Livestock), Jay Webb (Webb), Saint George, Utah; and Wayne Bradshaw (Bradshaw), Adamsville, Utah.

- failed to conduct their livestock purchase operations in competition with, and independently of each other at livestock sales; and
- furnished each other with information concerning their proposed livestock buying operations and other buying information – restricting and limiting competition.

GIPSA filed a complaint against J. Smith, Smith and Sons, Webb Livestock, Webb, and Bradshaw on August 6, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, J. Smith, Smith and Sons, Webb Livestock, Webb, and Bradshaw may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

J. Smith engaged in the business of a dealer buying and selling livestock in commerce for his own account and the account of others; engaged in the business of a market agency buying livestock in commerce on a commission basis; a dealer; a market agency; and is registered with the Secretary of Agriculture.

Smith and Sons engaged in the business of buying livestock in commerce for the purposes of slaughter; engaged in the business of manufacturing or preparing meat and meat food products for sale or shipment in commerce; and a packer subject to the provisions of the P&S Act.

Webb Livestock under the direction, management and control of Webb engaged in the business of a dealer buying and selling livestock in commerce for his own account and the account of others; engaged in the business of a market agency buying livestock in commerce on a commission basis; is a dealer; a market agency within the meaning of and subject P&S Act; and is registered with the Secretary of Agriculture.

Webb is president, 50% owner of the stock issued by Webb Livestock; and responsible for the direction, management and control of Webb Livestock.

Bradshaw engaged in the business of a dealer buying and selling livestock in commerce for his own account and the account of others and is registered with the Secretary of Agriculture.

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News Release

Release No.: 231-12

Contact:
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GIPSA Alleges Florence Meat Packing Co., Inc., d/b/a White House Packing Company, and Gypson J. and Sonia G. Fernandez Violated The Packers and Stockyards Act

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Florence Meat Packing Co., Inc., doing business as White House Packing Company, Fairmont, N.C. (Florence Meat Packing) and Gypson J. and Sonia G. Fernandez:

- purchased livestock and failed to pay, when due, for the livestock purchases;
- as of the date of filing this complaint, they owe \$272,353.71 for livestock purchases; and
- issued checks in payment for livestock purchases without having sufficient funds to cover the checks.

GIPSA filed a complaint against Florence Meat Packing, Gypson J. and Sonia G. Fernandez on August 6, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing,

Florence Meat Packing, Gypson J. and Sonia G. Fernandez may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, and assessed a civil penalty.

Florence Meat Packing, under the direction, management, and control of Gypson J. and Sonia G. Fernandez, engaged in the business of buying livestock in commerce for the purposes of slaughter and was a packer. Florence Meat Packing ceased operations on or about August 26, 2011.

Gypson J. and Sonia G. Fernandez were president and secretary, respectively; together they owned 100% of Florence Meat Packing; were responsible for the direction, management and control of Florence Meat Packing; and are packers.

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News Release

Release No.: 232-12

Contact:
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GIPSA Alleges Celivo “Nick” Farinelli, d/b/a Farinelli Enterprises and Wild Rose Ranch Violated the Packers and Stockyards Act

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Celivo “Nick” Farinelli, doing business as Farinelli Enterprises and Wild Rose Ranch, Le Grand, Calif.:

- issued a check in payment for livestock without having sufficient funds to cover the check;
- failed to pay, when due, the full amount for livestock purchase prices in a timely manner; and
- as of the date of this complaint, \$16,854.54 remains unpaid.

GIPSA filed a complaint against Celivo “Nick” Farinelli on August 6, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Celivo “Nick” Farinelli may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Celivo “Nick” Farinelli engaged in the business of buying livestock in commerce for the purposes of slaughter and is a packer.

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News Release

Release No.: 233-12

Contact:
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GIPSA Alleges Don and Carol Boyer, d/b/a Boyer Cattle Co. Violated the Packers and Stockyards Act

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Don and Carol Boyer, doing business as Boyer Cattle Co., Mentone, Ind., continued to engage in the business of a market agency buying livestock in commerce on a commission basis without maintaining an adequate bond.

GIPSA filed a complaint against Don and Carol Boyer on August 1, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Don and Carol Boyer may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Don and Carol Boyer engaged in the business of a market agency buying livestock in commerce on a commission basis and are registered with the Secretary of Agriculture.

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News Release

Release No.: 234-12

Contact:
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GIPSA Alleges Weikert's Livestock, Inc., and Todd D. Weikert Violated the Packers and Stockyards Act

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Weikert's Livestock, Inc. (Weikert's Livestock), and Todd D. Weikert (Weikert), Fairfield, Pa., failed to pay, when due, the full amount of the livestock purchase price within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Weikert's Livestock and Weikert on July 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Weikert's Livestock and Weikert may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Weikert's Livestock under the direction, management, and control of Weikert engaged in the business of buying and selling livestock in commerce; is a dealer; and is registered with the Secretary of Agriculture.

Weikert is the owner and president of Weikert's Livestock; engaged in the business of conducting and operating Weikert's Livestock as a dealer buying and selling livestock in commerce; is a dealer; and is registered with the Secretary of Agriculture.

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News Release

Release No.: 235-12

Contact:

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GIPSA Alleges Plainville Livestock Commission, Inc., and Tyler Gillum Violated the Packers and Stockyards Act

WASHINGTON, Aug. 16, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Plainville Livestock Commission, Inc. (Plainville Livestock), and Tyler Gillum (Gillum), Plainville, Kan.:

- failed to properly maintain their custodial account in that they had shortages in the account;
- permitted bank fees that were charged to their custodial account; and
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transactions involved in their business.

GIPSA filed a complaint against Plainville Livestock and Gillum on July 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Plainville Livestock and Gillum may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Plainville Livestock under the direction, management, and control of Gillum engaged in the business of conducting and operating Plainville Livestock, a posted stockyard subject to the provisions of the P&S Act; engaged in the business of a market agency selling livestock on a commission basis in commerce; and is registered with the Secretary of Agriculture.

Gillum was president of Plainville Livestock, was 100% owner of the stock issued by Plainville Livestock; and was responsible for the direction, management and control of Plainville Livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 236-12

Contact:
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New Lee's Live Poultry Market, Inc. and Shen Chen Are Assessed a \$12,000 Civil Penalty

WASHINGTON, Aug. 23, 2012 – On August 2, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with New Lee's Live Poultry Market, Inc. (New Lee), Brooklyn, N.Y. and Shen Chen (Chen), N.Y.

New Lee and Chen have been ordered to cease and desist from delaying payment to poultry sellers in violation of section 410 of the Packers and Stockyards (P&S) Act (7 U.S.C. § 228b-1).

New Lee and Chen have been assessed a civil penalty in the amount of \$12,000.

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News Release

Release No.: 237-12

Contact:
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Robert M. Self Has Been Assessed a \$19,600 Civil Penalty

WASHINGTON, Aug. 23, 2012 – On June 29, 2012, the U.S. Department of Agriculture issued a default decision against Robert M. Self (Self), of Okla., which became final and effective on August 10, 2012.

Self has been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required without filing and maintaining an adequate bond;
- failing to pay, when due, the full purchase of livestock; and
- issuing checks in payment for livestock purchases with insufficient funds.

Self is prohibited from engaging in business in any capacity for which registration and bonding is required under the Packers and Stockyards (P&S) Act without first becoming properly registered. Self has been assessed a \$19,600 civil penalty.

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News Release

Release No.: 238-12

Contact:
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GIPSA Alleges Martin D. Yoder, d/b/a Martin D. Yoder Livestock, Ltd. Violated the Packers and Stockyards Act

WASHINGTON, Aug. 23, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Martin D. Yoder (Yoder), doing business as Martin D. Yoder Livestock, Ltd., Kidron, Ohio:

- failed to make full payment promptly to livestock sellers; and
- sold livestock on commission, deceptively misrepresented to the sellers, the grade and yield price he received from the purchaser, and took an undisclosed profit above his commission from his sale of the livestock.

GIPSA filed a complaint against Yoder on August 7, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Yoder may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Yoder engaged in the business of a dealer, buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

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News Release

Release No.: 239-12

Contact:
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GIPSA Alleges Jacob Thompson, d/b/a Jacob Thompson Cattle Co. Violated the Packers and Stockyards Act

WASHINGTON, Aug. 23, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jacob Thompson (Thompson), doing business Jacob Thompson Cattle Co., Carthage, Texas:

- issued checks in payment for livestock without having or maintaining sufficient funds available;
- failed to pay, when due, the full purchase price of livestock;
- failed to make full payment for two livestock purchases; and
- operated subject to the Packers and Stockyards (P&S) Act without having sufficient bond coverage.

GIPSA filed a complaint against Thompson on July 12, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Thompson may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Thompson was engaged in the business of buying and selling livestock in commerce for his own account and buying livestock in commerce on a commission basis.

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News Release

Release No.: 240-12

Contact:
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GIPSA Settles a Case with James, Sr. and Brenda Sealy, New Alabama Livestock Auction, Inc., d/b/a Alabama Livestock Auction, and d/b/a Alabama Livestock Auction, Inc., and d/b/a Alabama Livestock Auction Incorporated Resulting in a \$3,500 Penalty

WASHINGTON, Aug. 23, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

James, Sr., and Brenda Sealy, New Alabama Livestock Auction, Inc., d/b/a Alabama Livestock Auction, and d/b/a Alabama Livestock Auction, Inc., and d/b/a Alabama Livestock Auction Incorporated, Uniontown, Ala. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,500 after GIPSA found that they misused their custodial account in that they had custodial account shortages.

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News Release

Release No.: 241-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles a Case with Leonard Craig Hammond, CH Cattle Company, LLC Resulting in a \$4,000 Penalty

WASHINGTON, Aug. 23, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Leonard Craig Hammond, CH Cattle Company, LLC, Glade Spring, Va. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,000 after GIPSA found that he failed to pay, when due, for livestock.

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News Release

Release No.: 242-12

Contact:
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Lloyd Nash is Assessed an \$8,000 Civil Penalty

WASHINGTON, Aug. 30, 2012 – On August 17, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Lloyd Nash, Cookeville, Tenn.

Lloyd Nash has been ordered to cease and desist from failing to pay, when due, the full purchase price of livestock.

Lloyd Nash has been assessed an \$8,000 civil penalty.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 243-12

Contact:
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GIPSA Alleges Mark Kasmiersky Violated the Packers and Stockyards Act

WASHINGTON, Aug. 30, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Mark Kasmiersky, Fayetteville, Texas, purchased livestock without being registered with the Secretary of Agriculture and maintaining an adequate bond or bond equivalent.

GIPSA filed a complaint against Mark Kasmiersky on August 23, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Mark Kasmiersky may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Mark Kasmiersky was engaged in the business of a market agency buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

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News Release

Release No.: 244-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles a Case with Michael Altice Resulting in a \$2,125 Penalty

WASHINGTON, Aug. 30, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Michael Altice, Wirtz, Va. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,125 after GIPSA found that he failed to pay, when due, for livestock.

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News Release

Release No.: 245-12

Contact:
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GIPSA Alleges Daniel F. Froman, dba R&L Real Estate, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Sept. 6, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Daniel F. Froman (Froman), doing business as R&K Real Estate, Inc., Gallatin, Mo.:

- failed to maintain and properly use his custodial account for shipper’s proceeds;
- had outstanding checks drawn on his custodial account, and had, to offset these checks resulting in custodial account shortages;
- had custodial account shortages in that he failed to deposit into the custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable for sales of consigned livestock;
- transferred money from his custodial account into other noncustodial accounts;
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transaction involved in his business;
- issued checks for livestock purchases without having sufficient funds to pay the checks when presented for payment by livestock sellers.
- purchased livestock and failed to pay, when due, for livestock purchased; and
- purchased livestock and failed to pay for livestock purchases.

GIPSA filed a complaint against Froman on July 23, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Froman may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Froman doing business as R&K Real Estate, Inc., was engaged in the business of conducting and operating the Gallatin Livestock Auction, a posted stockyard subject to the provisions of the P&S Act; engaged in the business of a market agency selling livestock in commerce on a commission basis; engaged in the business of a dealer buying and selling livestock in commerce; and is registered with the Secretary of Agriculture.

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News Release

Release No.: 246-12

Contact:
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GIPSA Alleges Jeremy Emerson Violated the Packers and Stockyards Act

WASHINGTON, Sept. 6, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jeremy Emerson, Okla.:

- engaged in the business of a dealer buying and selling livestock without being registered;
- issued checks in payment for livestock without having sufficient funds to cover the checks;
- failed to pay, when due, the full amount for livestock purchased; and
- failed to pay the full amount for livestock purchased.

GIPSA filed a complaint against Jeremy Emerson on July 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Jeremy Emerson may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Jeremy Emerson engaged in the business of a dealer buying and selling livestock in commerce and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 247-12

Contact:
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GIPSA Settles a Case with Allen Flynn, d/b/a Flynn Livestock Resulting in a \$2,175 Penalty

WASHINGTON, Sept. 6, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Allen Flynn, doing business as Flynn Livestock, New Castle, Ind. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,175 after GIPSA found that he failed to pay, when due, for livestock.

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News Release

Release No.: 248-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles a Case with Hal Rounsaville Resulting in a \$500 Penalty

WASHINGTON, Sept. 6, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Hal Rounsaville, Leakesville, Miss. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that he failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 249-12

Contact:
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GIPSA Settles a Case with Christian Ockels Resulting in a \$750 Penalty

WASHINGTON, Sept. 6, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Christian Ockels, Alice, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$750 after GIPSA found that he purchased livestock without maintaining a reasonable bond or bond equivalent.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 250-12

Contact:
Catherine M. Grasso, (202) 720-7201
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Headwaters Livestock Auction, LLC Has Been Assessed A \$5,000 Civil Penalty

WASHINGTON, Sept. 13, 2012 – On August 30, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Headwaters Livestock Auction, LLC (Headwaters Livestock), Three Forks, Mont. Headwaters Livestock has been ordered to cease and desist from:

- failing to deposit in its Custodial Account for Shippers' Proceed within the times prescribed in section 201.42(c) of the Regulations (9 C.F.R. § 201.42(c)) amounts equal to the proceeds receivable from the sale of consigned livestock; and
- failing to properly maintain its custodial account in strict conformity with the Packers and Stockyards (P&S) Act and section 201.42 of the Regulation (9 C.F.R. §201.42).

Headwaters Livestock has been assessed a civil penalty in the amount of \$5,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 251-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Charles R. Helmick Violated the Packers and Stockyards Act

WASHINGTON, Sept. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Charles R. Helmick failed to pay and failed to pay, when due, the full amount for livestock purchased.

GIPSA filed a complaint against Charles R. Helmick on August 1, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Charles R. Helmick may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Charles R. Helmick engaged in the business of a dealer buying and selling livestock in commerce and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 252-12

Contact:
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GIPSA Alleges Terry Dustin Matthews, d/b/a Moo Moo's Cattle Co. Violated the Packers and Stockyards Act

WASHINGTON, Sept. 20, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Terry Dustin Matthews (Matthews), doing business as Moo Moo's Cattle Co.:

- purchased livestock in commerce and failed to pay, when due, the full purchase price for the livestock; and
- issued checks that were returned because he did not have and maintain sufficient funds to cover the checks.

GIPSA filed a complaint against Matthews on August 31, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Matthews may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Matthews was engaged in the business as a dealer, buying and selling livestock in commerce for his own account and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 253-12

Contact:
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GIPSA Alleges Double H Slaughtering, Inc., d/b/a The Beef Shop, Arnold N. Huguenin, and Gene Huguenin Violated the Packers and Stockyards Act

WASHINGTON, Sept. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Double H Slaughtering, Inc. (Double H), doing business as The Beef Shop, Centralia, Wash., and Arnold N. Huguenin and Gene Huguenin failed to pay, when due, the full purchase price for livestock purchased.

GIPSA filed a complaint against Double H and Gene and Arnold Huguenin on September 13, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Double H and

Gene and Arnold Huguenin may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Double H engaged in the business of buying livestock in commerce for the purposes of slaughter.

Gene N. Huguenin was president, 35% owner of the stock, responsible for the direction, management and control of Double H.

Arnold Huguenin was vice-president, 35% owner of the stock, responsible for the direction, management and control of Double H, and is a packer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 254-12

Contact:
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GIPSA Alleges Double H Cattle Co., LLC, Todd Holstein and Tyler Holstein Violated the Packers and Stockyards Act

WASHINGTON, Sept. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Double H Cattle Co., LLC (Double H), Todd Holstein and Tyler Holstein, Canyon, Texas:

- engaged in the business of a dealer buying and selling livestock without being registered and maintaining an adequate bond or bond equivalent;
- issued checks in payment for livestock without having sufficient funds to cover the checks; and
- failed to pay, when due, the full amount for livestock purchases.

GIPSA filed a complaint against Double H, Todd and Tyler Holstein on September 13, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Double H, Todd and Tyler Holstein may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Double H was engaged in the business of a dealer buying and selling livestock in commerce for its own account and was not registered with the Secretary of Agriculture.

Todd and Tyler Holstein were owners of Double H, responsible for the direction, management, and control of Double H, and dealers within the meaning of and subject to the provisions of the P&S Act, and were not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 255-12

Contact:
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Nick Pesetsky and Pesetsky Land and Cattle, LLC Have Been Assessed a \$33,000 Civil Penalty

WASHINGTON, Sept. 20, 2012 – On June 19, 2012, the U.S. Department of Agriculture issued a default decision against Nick Pesetsky and Pesetsky Land and Cattle, LLC (the respondents), of Okla., which became final and effective on August 27, 2012.

The respondents have been ordered to cease and desist from:

- engaging in the business of a dealer without maintaining an adequate bond;
- failing to pay, when due, the full purchase of livestock; and
- failing to pay the full purchase of livestock.

The respondents have been assessed a \$33,000 civil penalty.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 256-12

Contact:
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Chad Duncan, d/b/a T&C Cattle Has Been Assessed A \$7,250 Civil Penalty

WASHINGTON, Sept. 20, 2012 – On August 28, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Chad Duncan (Duncan), doing business as T&C Cattle, Mo.

Duncan has been ordered to cease and desist from:

- engaging in operations subject to the Packers and Stockyards (P&S) Act without maintaining an adequate bond or bond equivalent; and
- failing to comply with the requirements of section 312(a) of the P&S Act (7 U.S.C. § 213); and
 - selling, billing, and collecting funds from principals on the basis of false and incorrect purchase prices;
 - issuing accounts of purchase or sale which fail to show the true and correct nature of the livestock transaction accounted for including but not limited to the true and correct purchase or sale price; and
 - preparing, changing, or altering invoices or other documents for the purpose of concealing or disguising fraudulent price increases or the true nature of the transaction.

Duncan has been ordered to maintain adequate records, invoices and/ or memoranda fully and correctly disclosing his purchase and sale of livestock.

Duncan has been assessed a civil penalty in the amount of \$7,250. An additional civil penalty of \$3,265.37 will be held in abeyance so long as Duncan pays restitution to the parties named in the Understanding Regarding Consent Decision (Understanding) in accordance with the terms of the Understanding.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 257-12

Contact:
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Ronald Wayne Kitchen Has Been Assessed A \$7,975 Civil Penalty

WASHINGTON, Sept. 20, 2012 – On September 13, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Ronald Wayne Kitchen (Kitchen), Mo.

Kitchen has been ordered to cease and desist from preparing and issuing, or causing to be prepared or issued, invoices showing false, inaccurate, or misleading purchase price, weight, and source entries for livestock.

Kitchen has also been ordered to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transaction involved in his business.

He has been assessed a civil penalty in the amount of \$7,975. He is also ordered to make restitution to Laura's Lean Beef in the amount of \$2,025.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 258-12

Contact:
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Mark K. Holder, d/b/a Mark Holder Livestock Has Been Assessed A \$2,000 Civil Penalty

WASHINGTON, Sept. 20, 2012 – On September 13, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Mark K. Holder (Holder), doing business as Mark Holder Livestock, Tenn. Holder has been ordered to cease and desist from:

- issuing checks in payment for livestock without having sufficient funds to pay checks when presented;
- purchasing livestock and failing to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act; and
- purchasing livestock and failing to pay the full purchase price for the livestock purchases.

Holder has been assessed a civil penalty in the amount of \$2,000. He is also ordered to make full restitution, in the amount of \$70,809.26, to the livestock sellers affected by the allegations set forth in the Complaint.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 259-12

Contact:
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GIPSA Settles a Case with Harry E. Shelton Resulting in a \$1,300 Penalty

WASHINGTON, Sept. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Harry E. Shelton, Manchester, Tenn. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,300 after GIPSA found that he failed to pay, when due, for livestock.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 260-12

Contact:
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GIPSA Settles a Case with Gary Owen, and Caddo Livestock Auction, LLC, d/b/a Caddo Livestock Auction Resulting in a \$2,500 Penalty

WASHINGTON, Sept. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Gary Owen and Caddo Livestock Auction, LLC, doing business as Caddo Livestock Auction, Caddo, Okla. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that they operated with shortages in their custodial account.

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Contact:
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GIPSA Settles a Case with Ronald C. Ward, d/b/a Ward Livestock Resulting in a \$1,500 Penalty

WASHINGTON, Sept. 27, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Ronald C. Ward, d/b/a Ward Livestock, Talmo, Ga. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that he failed to pay for livestock within the time period required by the Packers and Stockyards Act.

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News Release

Release No.: 262-12

Contact:
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GIPSA Settles a Case with Thomas Cattle Buying Services, Inc., and Bradley Etheridge Resulting in a \$8,000 Penalty

WASHINGTON, Sept. 27, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Thomas Cattle Buying Services, Inc. and Bradley Etheridge, Williston, Fla. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$8,000 after GIPSA found that they failed to pay, when due, for livestock.

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News Release

Release No.: 263-12

Contact:
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GIPSA Settles a Case with Robert Crabb, Jr., Carolina Stock Yard Company, Inc. Resulting in a \$2,000 Penalty

WASHINGTON, Sept. 27, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Robert Crabb, Jr., Carolina Stock Yard Company, Inc., Siler City, N.C. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he misused his custodial account in that he had custodial account shortages.

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News Release

Release No.: 264-12

Contact:
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Upchurch Livestock, Inc. Has Been Assessed A \$4,000 Civil Penalty

WASHINGTON, Sept. 27, 2012 – On September 18, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Upchurch Livestock, Inc. (Upchurch Livestock), Science Hill, Ky.

Upchurch Livestock has been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock purchases.

Upchurch Livestock has also been assessed a civil penalty in the amount of \$4,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 266-12

Contact:
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GIPSA Settles a Case with Marksbury Farm Foods, LLC in a \$1,200 Penalty

WASHINGTON, Oct. 4, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Marksbury Farm Foods, LLC, Lancaster, Ky. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,200 after GIPSA found that they failed to pay for poultry within the time period required by the P&S Act.

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News Release

Release No.: 267-12

Contact:
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GIPSA Settles a Case with Rusty Oxford, d/b/a Rusty Oxford Cattle Company in a \$700 Penalty

WASHINGTON, Oct. 4, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Rusty Oxford, d/b/a Rusty Oxford Cattle Company, George West, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$700 after GIPSA found that he failed to pay, when due, for livestock purchases and operated without a bond.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 268-12

Contact:
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GIPSA Alleges Ricardo Jurado Violated the Packers and Stockyards Act

WASHINGTON, Oct. 4, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ricardo Juado, Raisin City, Calif.:

- purchased livestock without being registered and without maintaining an adequate bond or bond equivalent;
- issued a check without having sufficient funds available in the account the check was drawn from;
- failed to pay, when due, the full amount for livestock purchases; and
- as of the date of this complaint, \$2,382.80 remains unpaid.

GIPSA filed a complaint against Ricardo Jurado on August 23, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Ricardo Jurado may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Ricardo Jurado engaged in the business of a dealer buying and selling livestock in commerce and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 269-12

Contact:
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Weikert's Livestock, Inc. and Todd D. Weikert Have Been Assessed A \$8,100 Civil Penalty

WASHINGTON, Oct. 4, 2012 – On September 20, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Weikert's Livestock, Inc. (Weikert's Livestock) and Todd D. Weikert (Weikert), Fairfield, Pa.

Weikert's Livestock and Weikert have been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock purchases.

Weikert's Livestock and Weikert have also been assessed a civil penalty in the amount of \$8,100.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 270-12

Contact:
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Stephen Smeal, d/b/a Fatted Calf Cattle Farms #6 Has Been Assessed A \$200,000 Civil Penalty

WASHINGTON, Oct. 4, 2012 – On September 24, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Stephen Smeal (Smeal), doing business as Fatted Calf Cattle Farms #6, Canton, Texas. Smeal has been ordered to cease and desist from:

- failing to pay and failing to pay, when due, the full purchase price for livestock purchases; and
- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit to pay such checks when presented.

Smeal has been assessed a civil penalty in the amount of \$200,000 which will be held in abeyance in accordance with and pending compliance with the terms of the “Understanding Regarding Consent Decision” (Understanding) entered between the parties. The amount of the civil penalty held in abeyance will be reduced by \$20,000 each year on July 1.

After Smeal has filed his first monthly report as required by the Understanding entered into between the parties, Smeal’s application as a dealer buying and selling livestock in commerce and as a market agency buying livestock on a commission basis in commerce will be processed in accordance with the Understanding.

Upon acceptance of Smeal’s application for registration as a dealer buying and selling livestock in commerce and as a market agency buying livestock on a commission basis in commerce, Smeal will be suspended as a registrant for 30 days. This period of suspension will be held in abeyance provided that Smeal is in compliance with the terms of the Consent Decision and with the Understanding.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 271-12

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

Magic Valley Buying Station, Inc., Eric Drees and Mindy Drees Have Been Suspended for Five Years

WASHINGTON, Oct. 4, 2012 – On September 21, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Magic Valley Buying Station, Inc. (Magic Valley) Eric Drees and Mindy Drees, Goodling, Idaho.

Magic Valley, Eric and Mindy Drees have been ordered to cease and desist from:

- failing to pay, when due, the full purchase price for livestock purchases; and
- engaging in business in any capacity for which registration and bonding are required without properly registering and without filing and maintaining an adequate bond or its equivalent, in accordance with the Packers and Stockyards (P&S) Act.

Magic Valley has been suspended as a registrant under the P&S Act for a period of five years. Eric and Mindy Drees, directly or indirectly through any corporate or other device, are prohibited from engaging in business in any capacity for which registration and bond is required under the P&S Act for a period of five years.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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Don and Carol Boyer, d/b/a Boyer Cattle Co. Have Been Assessed A \$1,000 Civil Penalty

WASHINGTON, Oct. 4, 2012 – On September 17, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Don and Carol Boyer, doing business as Boyer Cattle Co., Mentone, Ind.

Don and Carol Boyer have been ordered to cease and desist from engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act without maintaining an adequate bond or its equivalent.

Don and Carol Boyer have also been assessed a civil penalty in the amount of \$1,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 273-12

Contact:
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Sammy Simmons and Wendy Simmons, d/b/a People's Livestock of Cartersville have been assessed a \$58,000 Civil Penalty

WASHINGTON, Oct. 4, 2012 – On May 30, 2012, the U.S. Department of Agriculture's (USDA) Chief Administrative Law Judge issued a default decision and order against Sammy Simmons and Wendy Simmons, doing business as People's Livestock of Cartersville, Cartersville, Ga. Sammy and Wendy Simmons appealed that default decision on August 8, 2012, which was denied. On September 20, 2012, USDA's Judicial Officer entered an order in this decision and order.

Sammy and Wendy Simmons have been ordered to cease and desist from:

- failing to pay, within the time period required by the Packers & Stockyards (P&S) Act, the full amount of the net proceeds due from the sale price of livestock sold on commission;
- issuing checks to consignors of livestock without having sufficient funds on deposit and available in the accounts from which those checks were drawn; and
- failing to maintain its Custodial Account for Shippers' Proceeds.

Sammy and Wendy Simmons have also been assessed a civil penalty in the amount of \$58,000 and are suspended as registrants for a period of five years.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 274-12

Contact:
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GIPSA Settles a Case with John Robert Heyl, d/b/a Heyl Livestock, Heyl Livestock LLC and Heyl Livestock L.L.C. Resulting in a \$3,200 Penalty

WASHINGTON, Oct. 11, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

John Robert Heyl, doing business as Heyl Livestock, Heyl Livestock LLC and Heyl Livestock L.L.C., Marshall, Va.-- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,200 after GIPSA found that he failed to pay, when due, for livestock purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 275-12

Contact:
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GIPSA Alleges James Emanuel Mowery Violated the Packers and Stockyards Act

WASHINGTON, Oct. 11, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that James Emanuel Mowery (Mowery), Georgetown, Tenn.;

- failed to file a complete 2010 Annual Report resulting in his registration expiring;
- issued a check in payment for a livestock purchase without maintaining sufficient funds on deposit and available in the account upon which the check was drawn;
- purchased livestock and failed to pay, when due, for the livestock purchase; and
- did not maintain an adequate bond or bond equivalent.

GIPSA filed a complaint against Mowery on October 1, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Mowery may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Mowery was engaged in the business of a dealer buying and selling livestock in commerce for his own account; engaged in the business of a market agency buying livestock in commerce on a commission basis; and registered with the Secretary of Agriculture until November 18, 2011, when he was informed that his registration had expired for failure to file his 2010 Annual Report.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 276-12

Contact:
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Jeffrey D. Smith, a/k/a Jeff Smith and Dale T. Smith and Sons Packing Company, Inc. Have Been Assessed A \$9,000 Civil Penalty

WASHINGTON, Oct. 11, 2012 – On September 28, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Jeffrey D. Smith, also known as Jeff Smith and Dale T. Smith and Sons Packing, Inc., Draper, Utah.

Dale T. Smith and Sons Packing Company, Inc. have been ordered to cease and desist from buying livestock for any other or for an agent of any other packer and failing to conduct its livestock buying operations in competition with, and independently of, other packers similarly engaged.

Jeffrey D. Smith has been ordered to cease and desist from failing to conduct his livestock buying operations in competition with, and independently of, other dealers similarly engaged; and for the purpose of restricting or limiting competition, manipulating livestock prices, or controlling the movement of livestock, prior to, or during the conduct of, his buying operations, furnishing competitor dealers and market agencies, or their buyers or representatives, similarly engaged in buying livestock, with information concerning his proposed buying operations, such as the species, classes, volume of livestock to be purchased, or prices to be paid, and any other buying information to competitor buyers.

Dale T. Smith and Sons Packing Company, Inc. and Jeffery D. Smith have also been assessed a civil penalty, jointly and severally, in the amount of \$9,000.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Clausen Meat Packing, Inc., Michelle Tsao, and Kenneth Khoo Have Been Assessed a \$4,000 Civil Penalty

WASHINGTON, Oct. 11, 2012 – On August 8, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision with Clausen Meat Packing, Inc. (Clausen), Michelle Tsao, and Kenneth Khoo, Turlock, Calif.

Clausen, Michelle Tsao, and Kenneth Khoo have been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock purchases.

Clausen, Michelle Tsao, and Kenneth Khoo have been assessed a \$4,000 civil penalty.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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Double H Cattle Co., LLC, Todd Holstein and Tyler Holstein Have Been Ordered to Cease and Desist

WASHINGTON, Oct. 11, 2012 – On September 27, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Double H Cattle Co., LLC (Double H), Todd Holstein and Tyler Holstein, Canyon, Texas.

Double H, Todd Holstein, and Tyler Holstein have been ordered to cease and desist from:

- failing to pay, when due, the full purchase price for livestock purchases; and
- issuing insufficient funds checks.

Double H, Todd Holstein, and Tyler Holstein are prohibited from engaging in business subject to the Packers and Stockyards (P&S) Act for a period of three years and continuing thereafter until they demonstrate to the Packers and Stockyards Program that they are in full compliance with the P&S Act.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 279-12

Contact:
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Abram Khaimov Has Been Assessed a \$10,000 Civil Penalty

WASHINGTON, Oct. 11, 2012 – On August 16, 2012, the U.S. Department of Agriculture issued a default decision against Abram Khaimov, N.Y., which became final and effective on September 24, 2012.

Abram Khaimov has been ordered to cease and desist from:

- failing to pay, when due, the full purchase of livestock;
- failing to pay the full purchase of livestock: and
- failing to keep and maintain records which fully and correctly disclose all transaction involved in the business of being a packer.

Abram Khaimov has been assessed a \$10,000 civil penalty.

Abram Khaimov previously operated Royal Meats, Inc., in Flushing, N.Y., a corporation that is now dissolved.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 280-12

Contact:
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GIPSA Alleges Billy Tackett Violated the Packers and Stockyards Act

WASHINGTON, Oct. 25, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Billy Tackett, Okla., continued to engage in the business of a dealer buying and selling livestock in commerce without being registered and without maintaining an adequate bond.

GIPSA filed a complaint against Billy Tackett on August 30, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Billy Tackett may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Billy Tackett was engaged in the business of a dealer buying and selling livestock in commerce and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 281-12

Contact:
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GIPSA Settles a Case with Patrick Schotte, Marysville Livestock, Inc. Resulting in a \$3,000 Penalty

WASHINGTON, Oct. 25, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Patrick Schotte, President, Marysville Livestock, Inc., Marysville, Kan. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that they had custodial account shortages.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 282-12

Contact:
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GIPSA Settles a Case with Randy Stewart, 4J Cattle Company, LLC, Resulting in a \$1,500 Penalty

WASHINGTON, Oct. 25, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Randy Stewart, 4J Cattle Company, LLC, Sioux Falls, S.D. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that they failed to pay, when due, for livestock purchases.

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News Release

Release No.: 283-12

Contact:
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Michael T. Godberson has been assessed a \$42,250 Civil Penalty

WASHINGTON, Oct. 25, 2012 – On August 30, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a decision with Michael T. Godberson, Okla.

Michael T. Godberson has been ordered to cease and desist from engaging in business in any capacity for which bonding is required without filing and maintaining an adequate bond or its equivalent.

Michael T. Godberson is prohibited from registering to engage in business subject to the Packers and Stockyards (P&S) Act for a period of 30 days. After expiration of this 30 day period, Michael T. Godberson may engage in business subject to the P&S Act after submitting an application for registration to GIPSA along with the required bond or bond equivalent; except that he is not to be registered unless he provides proof of payment in full to any seller of livestock who did not receive full payment in the transactions that are the subject of this adjudication.

Michael T. Godberson has also been assessed a civil penalty in the amount of \$42,250; except that payment of that penalty is suspended for so long as he remains in compliance with the P&S Act and prevailing regulation. Should he engage in activities covered by the P&S Act without fulfilling the obligations in this order, the penalty will become immediately due.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 284-12

Contact:
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Lacy Bowman Livestock Co., Inc., and Lacy Bowman Has Been Assessed A \$3,000 Civil Penalty

WASHINGTON, Oct. 25, 2012 – On October 11, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Lacy Bowman Livestock Co., Inc. (Bowman Livestock), and Lacy Bowman (Bowman), Hillsville, Va.

Bowman Livestock and Bowman have been ordered to cease and desist from failing to pay and failing to pay, when due, the full purchase price for livestock purchases.

Bowman Livestock and Bowman have been assessed a civil penalty in the amount of \$3,000.

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News Release

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Contact:
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Intermountain Livestock, Inc., and Dennis Arnzen Have Been Assessed A \$7,500 Civil Penalty

WASHINGTON, Oct. 25, 2012 – On October 17, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Intermountain Livestock, Inc. (Intermountain Livestock), and Dennis Arnzen, La Grande, Ore.

Intermountain Livestock and Dennis Arnzen have been ordered to cease and desist from failing to properly maintain their Custodial Account for Shippers' Proceeds.

Intermountain Livestock and Dennis Arnzen have been assessed a civil penalty in the amount of \$7,500.

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Release No.: 286-12

Contact:
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Wayne Bradshaw Has Been Assessed A \$9,000 Civil Penalty

WASHINGTON, Oct. 25, 2012 – On September 6, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Wayne Bradshaw, Adamsville, Utah.

Wayne Bradshaw has been ordered to cease and desist from:

- failing to conduct his livestock buying operations in competition with, and independently of, other packers and dealers similarly engaged; and
- furnishing competitor packers, dealers, market agencies, or their buyers or representatives, similarly engaged in buying livestock, with information concerning his proposed buying operations for the purpose of restricting or limiting competition.

Wayne Bradshaw has been assessed a civil penalty in the amount of \$9,000.

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News Release

Release No.: 287-12

Contact:
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GIPSA Settles a Case with Ron Hins Resulting in a \$700 Penalty

WASHINGTON, Nov. 1, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Ron Hins, Huron, S.D. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,200 after GIPSA found that he failed to pay, when due, for livestock purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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ZD Quality Meats, Inc. and Jamal Sarameh Are Assessed a Civil Penalty of \$3,750

WASHINGTON, Nov. 19, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with ZD Quality Meats, Inc., and Jamal Sarameh, Fairview, N.J., on October 31, 2012. ZD Quality Meats, Inc., and Jamal Sarameh have been ordered to cease and desist from engaging in the business of a packer purchasing livestock in commerce for the purposes of slaughter without maintaining an adequate bond or bond equivalent.

ZD Quality Meats, Inc. and Jamal Sarameh have been assessed a civil penalty of \$3,750.

The consent decision resolves charges that were filed on August 24, 2012, in which GIPSA alleged that, ZD Quality Meats, Inc., and Jamal Sarameh engaged in the business of a packer purchasing livestock in commerce for the purposes of slaughter without maintaining an adequate bond.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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Geoffrey S. Martin Has Been Assessed a \$4,000 Civil Penalty

WASHINGTON, Nov. 1, 2012 – On August 7, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a decision with Geoffrey S. Martin (Martin), of Ruston, La.

Martin has been ordered to cease and desist from engaging in any type of business for which bonding is required without filing and maintaining an adequate bond.

Martin is further prohibited from engaging in business subject to the Packers and Stockyards (P&S) Act for a period of 30 days without being registered with GIPSA.

Martin has been assessed a civil penalty in the amount of \$4,000.

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News Release

Release No.: 290-12

Contact:
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Larry Conley is Prohibited from Registering for Two Years

WASHINGTON, Nov. 1, 2012 – On October 17, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Larry Conley (Conley), Cooper, Texas.

Conley has been ordered to cease and desist from failing to pay and failing to pay, when due, the full purchase price for livestock purchased.

Conley has been ordered to keep records that fully and correctly disclose all transactions involved in his business.

Conley is prohibited from registering under the Packers and Stockyards (P&S) Act for two years.

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News Release

Release No.: 291-12

Contact:
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Tallgrass Beef Company, LLC Has Been Assessed a \$402,816.53 Civil Penalty

WASHINGTON, Nov. 7, 2012 – On October 23, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Tallgrass Beef Company LLC (Tallgrass), a Del. company whose business address is in Sedan, Kan.

Tallgrass has been ordered to cease and desist from:

- failing to pay, when due, the full purchase price of livestock;
- engaging in the business of a packer when its financial condition does not meet the requirements of the Packers and Stockyards (P&S) Act; and
- engaging in the business of a packer without maintaining a bond or bond equivalent.

Tallgrass has been assessed a civil penalty in the amount of \$402,816.53. The civil penalty will be reducible dollar-for-dollar by restitution made by Tallgrass to its unpaid livestock suppliers, up to a total reduction of \$352,816.53, in accordance with an Understanding Regarding Civil Penalty Payment Terms (Understanding) agreed to and ratified by the parties.

If Tallgrass fails to satisfy the terms of the Understanding, the remaining civil penalty, for which restitution has not been made, will become due in full immediately, upon application of GIPSA to the Administrative Law Judge, without further procedure. If Tallgrass satisfies the terms of the Understanding, Tallgrass will request that the Administrative Law Judge issue an order reducing the civil penalty dollar-for-dollar for restitution made.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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Contact:
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Plainville Livestock Commission, Inc., and Tyler Gillum Are Assessed a \$12,900 Civil Penalty

WASHINGTON, Nov. 1, 2012 – On October 22, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Plainville Livestock Commission, Inc. (Plainville) and Tyler Gillum (Gillum), Plainville, Kan.

Plainville and Gillum have been ordered to cease and desist from:

- failing to maintain their Custodial Account for Shippers' Proceeds;
- failing to deposit in their Custodial Account for Shippers' Proceeds within the time prescribed in the regulations amounts equal to the outstanding proceeds receivable from the sale of consigned livestock; and
- using funds received from the sale of consigned livestock for the payment of bank fees or for any purpose other than payments to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges.

Plainville and Gillum have been ordered to keep records that fully and correctly disclose all transaction involved in his business.

Plainville and Gillum have been assessed a civil penalty in the amount of \$12,900.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



Grain Inspection,
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STOP 3601
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News Release

Release No.: 293-12

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Monte Clark Violated the Packers and Stockyards Act

WASHINGTON, Nov. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Monte Clark, of Colo., purchased livestock and failed to pay, when due, the full amount of the purchased livestock.

GIPSA filed a complaint against Monte Clark on October 31, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Monte Clark may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Monte Clark was engaged in the business of a dealer buying and selling livestock in commerce and was registered with the Secretary of Agriculture from January 11, 2005 to September 9, 2010, when his registration to operate as a livestock dealer expired due to his failure to file a corrected 2009 Annual Report that reflected the addition of clearing services to his registration.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 294-12

Contact:
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GIPSA Alleges G&G Cattle Co., Inc., Kenneth Garrett, and Tim Garrett Violated the Packers and Stockyards Act

WASHINGTON, Nov. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that G&G Cattle Co., Inc. (G&G Cattle), Kenneth Garrett and Tim Garrett, Chireno, Texas, purchased livestock in commerce and failed to pay, when due, the full purchase price for livestock purchases.

GIPSA filed a complaint against G&G Cattle, Kenneth and Tim Garrett on October 31, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, G&G Cattle, Kenneth and Tim Garrett may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

G&G Cattle, under the direction, management, and control of Kenneth and Tim Garrett was engaged in the business of a dealer buying and selling livestock in commerce for his own account and is registered with the Secretary of Agriculture.

Kenneth Garrett was president and 50% owner of G&G Cattle; responsible for the direction, management, and control of G&G Cattle; and the alter ego of G&G Cattle.

Tim Garrett was vice president and 50% owner of G&G Cattle; responsible for the direction, management, and control of G&G Cattle; and the alter ego of G&G Cattle.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 295-12

Contact:
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GIPSA Alleges Johnny Dobson Violated the Packers and Stockyards Act

WASHINGTON, Nov. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Johnny Dobson, Sulphur Springs, Texas, engaged in business of a market agency buying livestock in commerce on a commission basis without maintaining an adequate bond or bond equivalent.

GIPSA filed a complaint against Johnny Dobson on October 31, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Johnny Dobson may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Johnny Dobson was engaged in the business of a market agency buying livestock on a commission basis in commerce and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 296-12

Contact:
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GIPSA Alleges United Producers, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Nov. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that United Producers, Inc. (United), Columbus, Ohio:

- generated additional purchase invoices after the sale with false information in that:
 - they listed purchase prices for livestock that were higher than the actual sale purchase prices;
 - in some instances, weights of livestock listed on the invoices were unsupported because the loads of livestock were sorted, but not reweighed before the livestock were transferred to their customers, and the weights listed on the invoices were not otherwise supported by a scale ticket; and
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transactions involved in its business as a market agency.

GIPSA filed a complaint against United on September 14, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, United may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

United was engaged in the business of operating a posted stockyard; and engaged in the business of buying and selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 297-12

Contact:
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GIPSA Alleges New Holland Sales Stables, Inc., and Frank A. Fillippo, Inc., Violated the Packers and Stockyards Act

WASHINGTON, Nov. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that New Holland Sales Stables, Inc. (New Holland), and Frank A. Fillippo, Inc. (Fillippo), New Holland, Penn.:

- manipulated the price of livestock that it purchased for its customers by creating false auction market invoices (New Holland);
- the price that animals were purchased were false or the actual purchase price of the animals had been inflated (New Holland);
- New Holland recorded purchases in the ring on invoices made out to Fillippo, paid its consignors based on the prices recorded on those invoices, recorded the transactions as re-sales by Fillippo, and marked up the prices in the process (New Holland); and
- New Holland issued false invoices to the buyers, reflecting the marked-up prices and New Holland retained the difference between the amount remitted to the consignors and the marked-up prices charged to the buyers.

New Holland and Fillippo engaged in unfair, unjustly discriminatory, or deceptive practices in connection with receiving, marketing, buying, or selling on a commission basis or otherwise livestock.

GIPSA filed a complaint against New Holland and Fillippo on August 24, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, New Holland and Fillippo may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

New Holland was engaged in the business of a market agency selling livestock in commerce on a commission basis, as a dealer buying and selling livestock in commerce, and is a registered with the Secretary of Agriculture.

Fillippo was engaged in the business of buying and selling livestock in commerce as a dealer and is registered with the Secretary of Agriculture.

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News Release

Release No.: 298-12

Contact:
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Claypoole Livestock, Inc., and Timothy J. Claypoole Have Been Assessed a \$11,000 Civil Penalty

WASHINGTON, Nov. 9, 2012 – On May 10, 2012, the U.S. Department of Agriculture issued a default decision against Claypoole Livestock, Inc. and Timothy J. Claypoole of Clifton, Colo., which became final and effective on June 20, 2012.

Claypoole Livestock, Inc., and Timothy J. Claypoole have been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required without filing and maintaining an adequate bond or bond equivalent;
- purchasing livestock and failing to pay, when due, for livestock purchases; and
- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit where the checks are drawn to pay the checks when presented.

Claypoole Livestock, Inc., and Timothy J. Claypoole are prohibited from engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act without first becoming properly registered.

Claypoole Livestock, Inc., and Timothy J. Claypoole have been assessed an \$11,000 civil penalty. The civil penalty in excess of \$2,500 is suspended provided that Claypoole Livestock, Inc. and Timothy J. Claypoole fully comply with terms of the cease and desist provisions contained in this Order for a period of 1 year.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 299-12

Contact:
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Mason Georges Has Been Assessed a \$22,000 Civil Penalty

WASHINGTON, Nov. 9, 2012 – On November 1, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Mason Georges of N.M.

Mason Georges has been ordered to cease and desist from:

- failing to pay, when due, the full purchase price of livestock;
- issuing checks in payment for livestock without having and maintaining funds on deposit and available in the account upon which they are drawn to pay the checks when presented;
- buying and selling livestock in commerce without being properly registered with GIPSA; and
- buying and selling livestock in commerce without maintaining and an adequate bond or bond equivalent.

Mason Georges has been assessed a civil penalty in the amount of \$22,000. Seventeen thousand dollars of the civil penalty will be held in abeyance in accordance with and pending compliance with the terms of the "Understanding Regarding Consent Decision."

Mason Georges is prohibited from being registered and from engaging in any activities for which registration is required under the Packers and Stockyards (P&S) Act for a period of 15 days from the effective date of this order until such time that he demonstrates to the satisfaction of GIPSA that he has an adequate bond or bond equivalent and that he is in full compliance with the P&S Act.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 300-12

Contact:
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GIPSA Settles a Case with Ashley Noland, d/b/a Ashley Noland Livestock Resulting in a \$2,900 Penalty

WASHINGTON, Nov. 9, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Ashley Noland, d/b/a Ashley Noland Livestock, Amarillo, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,900 after GIPSA found that he failed to pay, when due, for livestock purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 301-12

Contact:
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GIPSA Alleges Luke Kottke, d/b/a Kottke Cattle Company Violated the Packers and Stockyards Act

WASHINGTON, Nov. 19, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Luke Kottke, doing business as Kottke Cattle Company of Wis.:

- purchased livestock without maintaining an adequate bond or bond equivalent;
- issued a checks without having sufficient funds available in the account the checks were drawn from;
- failed to pay, when due, the full amount for livestock purchases;
- purchased livestock and failed to pay for livestock; and
- as of February 17, 2012, \$45,457.90 remains unpaid.

GIPSA filed a complaint against Luke Kottke on July 25, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Luke Kottke may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Luke Kottke engaged in the business of a dealer buying and selling livestock in commerce, as a dealer, and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 302-12

Contact:
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GIPSA Alleges Monty Witt Violated the Packers and Stockyards Act

WASHINGTON, Nov. 19, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Monty Witt, Falls City, Neb.:

- failed to provide buyers, on whose behalf he was procuring livestock, a true and accurate written account of the purchases; and
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transactions involved in his business.

GIPSA filed a complaint against Monty Witt on October 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Monty Witt may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Monty Witt was engaged in the business of a dealer buying and selling livestock in commerce and as a market agency buying livestock in commerce on a commission basis, and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 303-12

Contact:
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GIPSA Alleges T&M Cattle, Inc. and Travis Witt Violated the Packers and Stockyards Act

WASHINGTON, Nov. 19, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that T&M Cattle, Inc. (T&M Cattle) and Travis Witt, Falls City, Neb.:

- failed to provide the buyer, on whose behalf he was procuring livestock, a true or accurate written account of livestock purchases; and
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transactions involved in his business.

GIPSA filed a complaint against T&M Cattle and Travis Witt on October 31, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, T&M Cattle and Travis Witt may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

T&M Cattle under the direction, management, and control of Travis Witt was engaged in the business of a market agency buying livestock in commerce on a commission basis and as a dealer buying and selling livestock in commerce, and is registered with the Secretary of Agriculture.

Travis Witt was president, sole owner, and responsible for the direction, management and control of T&M Cattle

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 304-12

Contact:
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United Producers, Inc. Has Been Assessed a \$110,000 Civil Penalty

WASHINGTON, Nov. 19, 2012 – On November 8, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with United Producers, Inc., Columbus, Ohio.

United Producers, Inc. has been ordered to cease and desist from creating false or misleading records in connection with its activities subject to the Packers and Stockyards (P&S) Act, including, but not limited to invoices containing listed purchase prices for livestock that are higher than the actual purchase price and invoices containing weights unsupported by a scale ticket.

They have also been ordered to keep and maintain accounts, records, and memoranda which fully and correctly disclose the true nature of all transactions involved in its business.

United Producers, Inc. has been assessed a civil penalty in the amount of \$110,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 305-12

Contact:
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GIPSA Settles a Case with Lee A. Edens, Lee Edens Cattle, LLC Resulting in a \$900 Penalty

WASHINGTON, Nov. 19, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Lee A. Edens, Lee Edens Cattle, LLC, Okolona, Miss. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$900 after GIPSA found that he failed to pay, when due, for livestock purchases.

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News Release

Release No.: 306-12

Contact:
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GIPSA Alleges Piedmont Livestock, Inc., and Joseph Ray Jones Violated the Packers and Stockyards Act

WASHINGTON, Nov. 29, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Piedmont Livestock, Inc. (Piedmont), and Joseph Ray Jones (Jones), Burlington, N.C. purchased livestock and failed to pay, when due, the full amount of the livestock purchase price.

GIPSA filed a complaint against Piedmont and Jones on November 16, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Piedmont and Jones may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Jones was responsible for the direction, management, and control of Piedmont, including responsibility for the violations of the P&S Act and regulations.

Piedmont and Jones were engaged in the business of a dealer buying and selling livestock in commerce and is registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 307-12

Contact:
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GIPSA Alleges Clint Sicking, d/b/a Flying C Cattle Company Violated the Packers and Stockyards Act

WASHINGTON, Nov. 29, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Clint Sicking, doing business as Flying C Cattle Company, of Texas:

- engaged in the business of a dealer buying and selling livestock in commerce without be registered with the Secretary of Agriculture and without filing and maintaining an adequate bond or bond equivalent;
- issued checks in payment for livestock without having and maintaining sufficient funds on deposit where the checks were drawn to pay the checks when presented; and
- failed to pay the full amount of the purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Clint Sicking on November 20, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Clint Sicking may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Clint Sicking was engaged in the business of a dealer buying and selling livestock in commerce for his own account; is not registered with the Secretary of Agriculture; and operating subject to the P&S Act within the jurisdiction of the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 308-12

Contact:
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GIPSA Alleges Curtis Malone Violated the Packers and Stockyards Act

WASHINGTON, Dec. 6, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Curtis Malone, Texas, continued to engage in the business of a market agency buying livestock in commerce on a commission basis without registering and maintaining an adequate bond.

GIPSA filed a complaint against Curtis Malone on October 10, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Curtis Malone may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Curtis Malone engaged in the business as a market agency buying livestock in commerce on a commission basis and is not registered with the Secretary of Agriculture.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 309-12

Contact:
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GIPSA Settles a Case with Randall Moore, d/b/a Randall Moore Farms, LLC Resulting in a \$1,600 Penalty

WASHINGTON, Dec. 6, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Randall Moore, d/b/a Randall Moore Farms, LLC, Eunice, La. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,600 after GIPSA found that he failed to pay, when due, for livestock purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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GIPSA Settles a Case with Miller Cattle Co., Inc., William Daniel Miller Resulting in a \$1,500 Penalty

WASHINGTON, Dec. 6, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Miller Cattle Co., Inc., William Daniel Miller, President, Marion, Miss. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that he failed to pay, when due, for livestock purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 311-12

Contact:
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GIPSA Uncovers String of False Invoices at Livestock Auction Markets

WASHINGTON, Dec. 17, 2012 – The U.S. Department of Agriculture’s (USDA) Grain Inspection, Packers and Stockyards Administration (GIPSA) continues an 18-month investigation into schemes to falsify the selling price of livestock at livestock auction markets across the country in violation of the Packers and Stockyards (P&S) Act. Through December 12, 2012, GIPSA has found evidence in 12 separate cases of fraud including 7 livestock auctions and 5 dealers, and assessed over \$200,000 in civil penalties.

“Federal regulations require that livestock auction markets, and individuals who buy on commission for someone else, keep and provide true written accounts of the transaction to the sellers and buyers,” said GIPSA Administrator Larry Mitchell. “We continue to investigate evidence of fraud and any allegations of anti-competitive behavior in the livestock, meat and poultry industries, and aggressively enforce the P&S Act when we find them.”

Summary of GIPSA activities over the last 18 months follows:

- GIPSA recently assessed a \$75,000 civil penalty assessed against the New Holland Sales Stables, Inc. (New Holland), in New Holland, Pa. GIPSA filed a complaint on August 24, 2012, alleging that New Holland manipulated the price of livestock it purchased for its customers by producing false market invoices showing inflated prices. In its complaint, GIPSA alleged that during a 3-month period, New Holland issued 109 false invoices to approximately 21 different buyers. As described in the complaint, New Holland bought livestock for its customers during the auction and recorded those livestock as sold to a dealer, Frank Fillipo. Consignors were paid according to the actual selling price. New Holland presented its customers with the false invoices and charged them the marked up prices. During the 3-month period examined by GIPSA, New Holland’s false invoices allegedly resulted in increased profits of \$15,345. Fillipo, who was also named in GIPSA’s complaint, was alleged to have received \$50 per week from New Holland for the use of his account in order to generate the false invoices. Failure by New Holland to comply with the consent decision’s order to cease and desist from violating the P&S Act could result in

suspension of its operations for 180 days.

- On November 8, 2012, United Producers Inc. (UPI), agreed in a consent decision to pay a civil penalty of \$110,000 to resolve a complaint GIPSA filed against it on September 14, 2012. GIPSA's complaint alleged that UPI created false invoices for livestock sold to two dealers. Those dealers, Thomas Witt and Louis "Corky" Holle, requested that UPI create invoices with inflated prices, and in turn presented those false invoices to their customers who purchased the livestock. According to the complaint, and an attached letter from UPI's Corporate Controller and Assistant Treasurer, personnel at UPI's Marysville, Mo., facility complied with the dealers' requests to create the false invoices.
- On April 27, 2012, GIPSA filed a complaint against the Milan Livestock Auction, Inc., Brookfield, Mo., for creating false invoices.
- Separately, four livestock auctions have settled with GIPSA through Stipulation agreements and payment of fines. Those auctions are Lolli Brothers Livestock Market, Macon, Mo.; Kingsville Livestock Auction, Kingsville, Mo.; Appanoose County Livestock, Inc., Centerville, Iowa; and the Russell Livestock Market, Russell, Iowa.
- Additionally, three dealers found to be involved in false invoice schemes have been fined; Ronald Wayne Kitchen of Huntsville, Mo., was ordered to pay a \$7,975 civil penalty and restitution to Laura's Lean Beef in the amount of \$2,025; and Chad Duncan, Brunswick, Mo., was ordered to pay a \$7,250 civil penalty and \$3,265 in restitution. Chris Arnaman of Cameron, Mo., paid \$2,425 pursuant to a stipulation agreement.
- Complaints have also been filed against T&M Cattle, Inc. and Travis Witt, Falls City, Neb., and Monty Witt, also of Falls City, Neb.
- Additional complaints will follow in the weeks ahead.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 312-12

Contact:
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GIPSA Alleges Farmer Grown Poultry, LLC Violated the Packers and Stockyards Act

WASHINGTON, Dec. 27, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Farmer Grown Poultry, LLC, Fort Atkinson, Iowa, obtained live poultry under a poultry growing arrangement and failed to deliver the full amount due to 12 growers before the close of the 15th day following the week in which the poultry was slaughtered, in violation of 7 U.S.C. § 228b-1(a).

GIPSA filed a complaint against Farmer Grown Poultry, LLC on November 1, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Farmer Grown Poultry, LLC may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Farmer Grown Poultry, LLC was engaged in business as a live poultry dealer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 313-12

Contact:
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GIPSA Alleges Jimmy Springer Violated the Packers and Stockyards Act

WASHINGTON, Dec. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jimmy Springer, Kan., engaged in the business of a market agency buying livestock in commerce on a commission basis without maintaining an adequate bond or bond equivalent.

GIPSA filed a complaint against Jimmy Springer on October 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Jimmy Springer may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Jimmy Springer was engaged in the business of a market agency buying livestock on a commission basis in commerce and his registration with the Secretary of Agriculture is in inactive status per his request of July 8, 2009.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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GIPSA Alleges J.H. Routh Packing Company Violated the Packers and Stockyards Act

WASHINGTON, Dec. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that J.H. Routh Packing Company, Sandusky, Ohio:

- failed to maintain the identity of each seller’s livestock and the resulting carcasses by not putting railed-out carcasses back into their proper sequence order resulting in the assignment of some carcasses to the wrong producers; and
- provided inaccurate accountings to sellers and failed to make settlements and final payments on actual hot weights by
 - substituting arbitrary weights on the kill sheet instead of using the average of the collected readings in the same lot for carcasses in which no hot weight readings were recorded;
 - substituting arbitrary weights on the kill sheet instead when it could not use the average of the collected readings in the same lot for carcasses in which no hot weight readings were recorded because hot weight readings were not recorded for any of the carcasses in the lot;
 - substituting arbitrary weights on the kill sheet instead of using the actual hot weight data readings; and
 - substituting arbitrary weights on the kill sheet when multiple carcasses, crossed the hot scale simultaneously.

GIPSA filed a complaint against J.H. Routh Packing Company on December 6, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, J.H. Routh Packing Company may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

J.H. Routh Packing Company was engaged in the business of buying livestock in commerce for the purpose of slaughter and of manufacturing or preparing meats or meat products for sale or shipment in commerce and is a packer.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 315-12

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Freightout.com, LLC and Lloyd H. Minifie Have Been Assessed a \$20,000 Civil Penalty

WASHINGTON, Dec. 20, 2012 – On September 27, 2012, the U.S. Department of Agriculture issued a default decision against Freightout.com, LLC and Lloyd H. Minifie (the respondents), Moriarty, N.M., which became final and effective on November 23, 2012.

The respondents have been ordered to cease and desist from:

- failing to pay, when due, the full purchase price of livestock; and
- failing to pay the full purchase price of livestock.

The respondents have also been assessed a \$20,000 civil penalty.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 317-12

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Ronnie Lewis, d/b/a Lazy L Order Buyers Has Been Assessed a \$38,000 Civil Penalty

WASHINGTON, Dec. 20, 2012 – On October 11, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a decision against Ronnie Lewis, doing business as Lazy L Order Buyers, Fl.

Ronnie Lewis has been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required without filing and maintaining an adequate bond or its equivalent; and
- failing to pay the full amount of the purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act.

Ronnie Lewis has been ordered to obtain an adequate bond or bond equivalent if he wishes to operate subject to the provisions of the P&S Act.

He has also been assessed a civil penalty in the amount of \$38,000.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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GIPSA Settles a Case with Randy Gravley Resulting in a \$500 Penalty

WASHINGTON, Dec. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Randy Gravely, Russell, Minn. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that he conducted deceptive practices and kept insufficient records.

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News Release

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Contact:
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GIPSA Settles a Case with Lonnie George Hudgens Resulting in a \$1,500 Penalty

WASHINGTON, Dec. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Lonnie George Hudgens, Newburg, Mo. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that he failed to pay, when due, for livestock purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

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Contact:
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GIPSA Settles a Case with Edward H. Bilden Resulting in a \$2,000 Penalty

WASHINGTON, Dec. 20, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

Edward H. Bilden, Fergus Falls, Minn. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he did not disclose price markups on commission purchases.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

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To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.