

News Release Archive

2010

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News Release

Release No.: 29-10

Contact:
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GIPSA Official Designation Activities

WASHINGTON, D.C. (March 31, 2010) - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) announces the following actions on designations to officially inspect and weigh grain in the specified areas of Champaign, IL; Emmett, MI; Davenport, IA; Enid, OK; Keokuk, IA; Marshall, MI; Omaha, NE; Amarillo, TX; Cairo, IL; State of Louisiana; State of North Carolina; Belmond, IA; State of New Jersey; and State of New York.

GIPSA has designated Champaign-Danville Grain Inspection Departments, Inc. (Champaign); Detroit Grain Inspection Service, Inc. (Detroit); Eastern Iowa Grain Inspection and Weighing Service, Inc. (Eastern Iowa); Enid Grain Inspection Company, Inc. (Enid); Keokuk Grain Inspection Service (Keokuk); Michigan Grain Inspection Services, Inc. (Michigan); and Omaha Grain Inspection Service, Inc. (Omaha) to inspect or inspect and weigh grain effective April 1, 2010, through March 31, 2013. For official grain inspection services, contact Champaign at 217-398-0723, Detroit at 810-395-2105, Eastern Iowa at 563-322-7149, Enid at 916-374-9700, Keokuk at 319-524-6482, Michigan at 269-781-2711, and Omaha at 402-341-6739.

GIPSA is asking for applications to provide official services in the areas of Amarillo, TX; Cairo, IL; State of Louisiana; State of North Carolina; Belmond, IA; State of New Jersey; and State of New York. Additionally, GIPSA is requesting comments on the official agencies presently serving these areas. Please submit applications and/or comments to GIPSA by April 30, 2010.

For further information contact Erik Mojica at 202-720-0414, fax 202-690-2755 or e-mail at Erik.A.Mojica@usda.gov.



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News Release

Release No.: 55-10

Contact:
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GIPSA Official Designation Activities

WASHINGTON, D.C. (May 25, 2010) - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) announces the following actions on designations to officially inspect and weigh grain in the specified areas of Columbus, OH; Dallas, TX; Decatur, IN; Muncie, IN; Fremont, NE; State of Maryland; and West Lafayette, IN.

GIPSA has designated East Indiana Grain Inspection, Inc. (East Indiana); Fremont Grain Inspection Department, Inc. (Fremont); Maryland Department of Agriculture (Maryland); and Titus Grain Inspection, Inc. (Titus) to inspect or inspect and weigh grain effective July 1, 2010, through June 30, 2013. For official grain inspection services, contact East Indiana at 765-289-1206, Fremont at 402-721-5086, Maryland at 410-721-5086, and Titus at 765-497-2202.

GIPSA is asking for applications to provide official services in the areas of Columbus, OH; Dallas, TX; and Decatur, IN. Additionally, GIPSA is requesting comments on the official agencies presently serving these areas. Please submit applications and/or comments to GIPSA by July 1, 2010.

For further information contact Erik Mojica at 202-720-0414, fax 202-690-2755 or e-mail at Erik.A.Mojica@usda.gov.

Dana Stewart, 202-720-5091.



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News Release

Release No.: 59-10

Contact:
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GIPSA Grain Inspection Advisory Committee to Meet

Washington, DC, June 4, 2010 - The USDA, Grain Inspection, Packers and Stockyards Administration's (GIPSA) Grain Inspection Advisory Committee will meet June 16-17, 2010, in Kansas City, Missouri.

The Committee meeting will take place from 8:00 a.m.-4:30 p.m., June 16, 2010, and 8:00 a.m.-noon, June 17, 2010, at the Residence Inn by Marriott, 10300 N. Ambassador Drive, Kansas City, Missouri 64153.

Requests to address the Committee at the meeting or written comments may be sent to: Administrator, GIPSA, U.S. Department of Agriculture, 1400 Independence Avenue, SW, STOP 3601, Washington, DC 20250-3601. Requests and comments also may also be faxed to (202) 690-2173.

The Advisory Committee provides advice to the Administrator of the Grain Inspection, Packers and Stockyards Administration with respect to the implementation of the U.S. Grain Standards Act (7 U.S.C. 71 et seq.). Relevant information about the Advisory Committee is available on the GIPSA Web site at <http://www.gipsa.usda.gov>. Under the section I Want To, select Learn about the Grain Inspection Advisory Committee.

The agenda will include updates on international affairs, wheat standards, the Yamamoto Sheller study, wheat functionality, and an overview of Federal Grain Inspection Service 2010 operations.

For a copy of the agenda please contact Terri Henry, (202) 205-8281 or by e-mail Terri.L.Henry@usda.gov.

Public participation will be limited to written statements, unless permission is received from the Committee Chair to orally address the Committee. The meeting will be open to the public. Persons with disabilities who require alternative means of communication of program information or related accommodations should contact Terri Henry, telephone (202) 205-8281 or FAX (202) 690-2173..



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News Release

Release No.: 63-10

Contact:
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GIPSA Official Designation Activities

WASHINGTON, D.C. (June 25, 2010) - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following actions on designations to officially inspect and weigh grain in specified areas of Amarillo, TX; Cairo, IL; and the State of North Carolina.

GIPSA is asking for applications to provide official services in the areas of Amarillo, TX; Cairo, IL; and State of North Carolina. Please submit applications and/or comments to GIPSA by July 31, 2019.

For further information contact Erik Mojica at 202-720-0414, fax 202-690-2755 or e-mail at Erik.A.Mojica@usda.gov.

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News Release

Release No.: 72-10

Contact:
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GIPSA Official Designation Activities

Washington, DC (August 30, 2010) - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) announces the following actions on designations to officially inspect and weigh grain in the specified areas of Amarillo, TX; Cairo, IL; the State of Louisiana; the State of North Carolina; Belmond, IA; the State of New Jersey; and the State of New York.

GIPSA has designated Amarillo Grain Exchange, Inc. (Amarillo); Cairo Grain Inspection Agency, Inc. (Cairo); Louisiana Department of Agriculture and Forestry (Louisiana); North Carolina Department of Agriculture (North Carolina); and D. R. Schaal Agency, Inc. (Schaal) to inspect or inspect and weigh grain effective October 1, 2010, through September 30, 2013. For official grain inspection services, contact Amarillo at 806-372-2152, Cairo at 618-734-1316, Louisiana at 318-428-5453, North Carolina at 919-733-4491, and Schaal at 641-444-7292.

GIPSA is asking for applications to provide official services in the areas of Owensboro, KY; Bloomington, IL; Iowa Falls, IA; Casa Grande, AZ; Fargo, ND; Grand Forks, ND; and Plainview, TX. Additionally, GIPSA is requesting comments on the official agencies presently serving these areas. Please submit applications and/or comments to GIPSA by September 30, 2010.

For further information contact Erik Mojica at 202-720-0414, fax 202-690-2755 or e-mail at Erik.A.Mojica@usda.gov.

Dana Stewart, 202-720-5091



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News Release

Release No.: 78-10

Contact:
Terry Henry, 202-205-8281
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GIPSA Seeks Comments on Corn Standards

WASHINGTON, September 29, 2010 - The UDSA Grain Inspection, Packers and Stockyards Administration (GIPSA) is seeking public comment on the need for revisions to the U.S. standards for corn.

GIPSA is soliciting comments as part of the Agency's comprehensive review of the standards, which were last amended in 1996. Through this review, GIPSA is seeking to ensure that the standards remain relevant to the U.S. and global corn industry and continue to facilitate the marketing of U.S. corn. All aspects of the corn standards are being reviewed, including definitions, grade and non-grade determining factors, grade limits, damages, as well as grading procedures and new services GIPSA might offer.

"Since the standards were last revised, the use of corn for ethanol and the number of different varieties of corn has increased tremendously," said GIPSA administrator J. Dudley Butler. "To ensure that standards and official grading practices remain relevant, GIPSA invites interested parties to comment on whether the current corn standards and grading procedures need to be changed."

GIPSA establishes standards for corn, and other grains, under authority of the U.S. Grain Standards Act. The standards facilitate corn marketing and define U.S. corn quality in the domestic and global marketplace by defining commonly used industry terms and outlining basic procedures for testing corn. Together, the grading standards and procedures allow buyers and sellers to communicate quality requirements, compare corn quality using equivalent forms of measurement, and assist in price discovery.

The advance notice of proposed rulemaking seeking public comment on the corn standards was published in the September 17, 2010, Federal Register. Comments must be received on or before December 16, 2010.

For further information, contact Ross Heiman, GIPSA, at (816) 823-2580.
Dana Stewart 202-720-5091 Dana.B.Stewart@usda.gov.



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News Release

Release No.: 89-10

Contact:
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GIPSA's Grain Inspection Advisory Committee to Meet

Washington, DC, November 3, 2010 - The USDA, Grain Inspection, Packers and Stockyards Administration's Grain Inspection Advisory Committee will meet November 17-18, 2010, in New Orleans, Louisiana.

The Committee meeting will take place from 8:00 a.m.- 4:30 p.m., November 17, 2010, and 8:00 a.m.- 4:30 p.m., November 18, 2010, at the Chateau Bourbon, 800 Iberville Street, New Orleans, Louisiana 70112.

Requests to address the Committee at the meeting or written comments may be sent to: Administrator, GIPSA, U.S. Department of Agriculture, 1400 Independence Avenue, SW., STOP 3601, Washington, DC 20250-3601. Requests and comments may also be faxed to (202) 690-2173.

The purpose of the Advisory Committee is to provide advice to the Administrator of the Grain Inspection, Packers and Stockyards Administration with respect to the implementation of the U.S. Grain Standards Act (7 U.S.C. 71 et seq.). Relevant information about the Advisory Committee is available on the GIPSA Web site at <http://archive.gipsa.usda.gov>. Under the section I Want To, select 'Learn about the Grain Inspection Advisory Committee.'

The agenda will include updates on international affairs, reviews of export and domestic corn grading, the National Grain Center, sorghum odor, the Yamamoto Sheller Study, and an overview of Federal Grain Inspection Service operations.

For a copy of the agenda please contact Terri Henry, (202) 205-8281 or by e-mail Terri.L.Henry@usda.gov.

Public participation will be limited to written statements, unless permission is received from the Committee Chair to orally address the Committee. The meeting will be open to the public. Persons with disabilities who require alternative means of communication of program information or related accommodations should contact Terri Henry, telephone (202) 205-8281 or FAX (202) 690-2173..



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News Release

Release No.: 01-10

Contact:
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GIPSA Alleges Barnesville Livestock, LLC and Darryl Watson Misused Their Custodial Account

WASHINGTON, Jan. 14, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Barnesville Livestock, LLC (Barnesville), Barnesville, Ohio and Darryl Watson (Watson), Norwich, Ohio:

- failed to properly use and maintain its custodial account;
- failed 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;
- failed to remit, when due, the net proceeds due from the sale price of livestock on a commission basis;
- deposited custodial account funds to the market's general account;
- deposited proceeds from the sale of livestock on a commission basis into an account other than the market's custodial account; and
- issued custodial checks without having sufficient funds to cover checks.

GIPSA filed a complaint against Barnesville and Watson on December 10, 2009. If the allegations are admitted, or proven in an oral hearing, Barnesville and Watson may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Barnesville engaged in the business of conducting and operating a posted stockyard; a market agency selling consigned livestock in commerce on a commission basis at the stockyard; and is registered with the Secretary of Agriculture as a market agency to sell livestock in commerce on a commission basis and as a market agency buying livestock on commission.

Watson is the sole owner of Barnesville, is responsible for the day-to-day direction, management and control of Barnesville, and is a market agency 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.: 02-10

Contact:
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GIPSA Alleges Terry Roth, dba Indian Creek Meadows Violated the Packers and Stockyards Act

WASHINGTON, Jan. 14, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Terry Roth (Roth), Millersville, Missouri, doing business as Indian Creek Meadows failed to pay sellers for the sale of their livestock within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Roth on December 23, 2009. If the allegations are admitted, or proven in an oral hearing, Roth may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Roth engaged in the business of buying and selling livestock in commerce for his own account as a dealer; he is 100 percent owner of Indian Creek Meadows; and is registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own 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.: 03-10

Contact:
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GIPSA Alleges Kao Vang and Chue Thao, dba California Fresh Meats Violated the Packers and Stockyards Act

WASHINGTON, Jan. 14, 2010 -The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Kao Vang (Vang) and Chue Thao (Thao), doing business as California Fresh Meats, Fresno, California, engaged in the business of a dealer buying and selling livestock in commerce without maintaining an adequate bond.

GIPSA filed a complaint against Vang and Thao on December 20, 2009. If the allegations are admitted, or proven in an oral hearing, Vang and Thao may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Vang and Thao engaged in the business of buying and selling livestock in commerce as a dealer for their own account; are not registered with the Secretary of Agriculture as a dealer; and operated as a dealer 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.: 04-10

Contact:
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GIPSA Alleges Curtis Walton, dba Walton Livestock Violated the Packers and Stockyards Act

WASHINGTON, Jan. 14, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Curtis Walton (Walton), doing business as Walton Livestock, Lamar, Indiana:

- failed to maintain a bond and registration while continuing to operate his business after notification from GIPSA;
- failed to keep records that fully and correctly disclosed all transactions involved in his business; and
- marked up the purchase price of livestock and charged commission on the same livestock obtaining both a dealer profit and a commission fee as a market agency buying on commission for the same livestock in the same transactions.

GIPSA filed a complaint against Walton December 23, 2009..If the allegations are admitted, or proven in an oral hearing, Walton may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Walton engaged in the business of a dealer buying and selling livestock in commerce for his own account and for the account of others and as a market agency buying livestock on a commission basis.

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.: 05-10

Contact:
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GIPSA Settles Two Cases Resulting in \$5,150 in Civil Penalties

WASHINGTON, Jan. 14, 2010 - 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 recently settled two cases resulting in \$5,150 in civil penalties.

Randy Deaton, London, Kentucky, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,150 after GIPSA found that he failed to pay, when due, for livestock purchases.

KRLM, LLC, dba Knoxville Regional Livestock Market, Knoxville, Iowa, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$4,000 after GIPSA found that it had custodial account shortages, misused custodial account funds, and operated while insolvent.

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.: 06-10

Contact:
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Potter Sausage Co. is Assessed A Civil Penalty in the Amount of \$10,000

WASHINGTON, Jan. 28, 2010 - On January 13, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a decision without hearing by reason of consent with Potter Sausage Co., Durant, Oklahoma. Potter Sausage Co. has been ordered to cease and desist from:

- failing to pay the full purchase price of livestock within the time period required by the Packers and Stockyards (P&S) Act; and
- engaging in any livestock purchase arrangement where payment is to be made in a manner other than as required by the P&S Act without first obtaining a written credit agreement with a trust waiver as specified in the regulations.

Potter Sausage Co. has 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.: 07-10

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

GIPSA Alleges Gailal Sbeta and Mohammed Mesallem, dba Islamic Meat and Poultry Violated the Packers and Stockyards Act

WASHINGTON, Feb. 4, 2010- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gailal Sbeta (Sbeta) and Mohammed Messallem (Messallem), doing business as Islamic Meat and Poultry, Stockton, California, failed to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Sbeta and Messallem on January 22, 2010. If the allegations are admitted, or proven in an oral hearing, Sbeta, Messallem, and Islamic Meat and Poultry may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Sbeta, Mesallem and Islamic Meat and Poultry engaged in the business of buying livestock in commerce for slaughter; manufacture or prepare meat and meat food products for sale or shipment in commerce; and are packers 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.: 08-10

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

GIPSA Alleges Eugene Thompson Violated the Packers and Stockyards Act

WASHINGTON, Feb. 4, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Eugene Thompson (Thompson):

- 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;
- failed to maintain an adequate bond; and
- issued checks without having sufficient funds to cover checks.

GIPSA filed a complaint against Thompson on January 21, 2010. 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 engaged in the business of buying and selling livestock in commerce for his own account and for the account of others and is registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account and as a market agency buying 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.: 11-10

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

GIPSA Amends Registration Requirements for Market Agencies and Dealers

WASHINGTON, (Feb. 9, 2010)-The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has amended regulations that require market agencies and dealers to register with the Agency under the Packers and Stockyards Act. Under the new regulations, market agencies and dealers must still register with GIPSA upon commencing operations, but now those registrations will automatically renew annually, coinciding with the timely filing of the entity's required annual report.

Previously, once an entity registered with GIPSA, the registration did not expire or require renewals and was effective indefinitely, unless the registrant notified GIPSA that the business ceased operations.

If a market agency or dealer fails to file the required annual report by its due date, GIPSA will issue a default notice, which could lead to the expiration of the entity's registration. Registrations that expire because the required annual report is not filed within the time period allowed will be required to file a new application for registration in order to continue in business.

According to GIPSA administrator J. Dudley Butler, this action will allow GIPSA to maintain accurate records of entities operating subject to the P&S Act without imposing new and additional burdens on registrants, and to more effectively enforce the P&S Act.

This rule becomes effective on March 11, 2010.

For further information, contact Brett Offutt, Director, Policy and Litigation Division, P&SP, at (202) 720- 7363 or via email to s.brett.offutt@usda.gov.

Dana Stewart, 202-720-5091



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News Release

Release No.: 09-10

Contact:
Catherine M. Grasso, (202) 720-7201
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David DeStafino, dba D&D Stockhauling is Suspended as a Dealer

WASHINGTON, Feb. 18, 2010 - On January 27, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a decision without hearing by reason of consent with David DeStafino (Destafino), doing business as D&D Stockhauling, Cullman, Alabama.

DeStafino has been ordered to cease and desist from:

- failing to pay the full purchase price of livestock within the time period required by the Packers and Stockyards (P&S) Act;
- failing to pay the full purchase price for livestock; and
- issuing checks for livestock purchases without having sufficient funds to cover checks.

DeStafino has been suspended for a period of 5 years. DeStafino is prohibited from operating as a dealer, buying and selling livestock in commerce for his own 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.: 10-10

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

GIPSA Settles Three Cases Resulting in \$5,500 in Civil Penalties

WASHINGTON, Feb. 18, 2010 - 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 recently settled three cases resulting in \$5,500 in civil penalties.

Windy Ridge Pork, LLC, Pipestone, Minnesota, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that it failed to disclose right to cancel and additional capital investment, and failed to include proper choice of law and venue in production contract.

North Star Family Farms, LLP, Pipestone, Minnesota, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that two swine production contracts did not clearly disclose the grower/finisher's right to cancel; the method by which the grower may cancel the contract; the deadline for cancelling the contract; and an 'Additional Capital Investments Disclosure Statement. '

Gene Isom, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,500 after GIPSA found that he operated as a livestock dealer without filing the required bond coverage.

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.: 12-10

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

GIPSA Alleges Empire Kosher Poultry, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Feb. 25, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Empire Kosher Poultry, Inc. (Empire), Harrisburg, Pennsylvania:

- failed to pay within the time period required by the Packers and Stockyards (P&S) Act for turkeys purchased, received and accepted from Koch's Turkey Farm, Tamaqua, Pennsylvania;
- as of October 7, 2008, Empire had failed to pay Koch's Turkey Farm \$296,884 in connection with the turkey purchases;
- Empire rejected a proposal from Koch's Turkey Farm for a 14-day credit period for payment;
- on September 26, 2008, Empire negotiated an extended payment plan with Koch's Turkey Farm.

GIPSA filed a complaint against Empire on February 4, 2010. If the allegations are admitted, or proven in an oral hearing, Empire may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Empire engaged in the business of obtaining live poultry by purchase or under poultry growing arrangement for the purpose of slaughter, ships processed poultry products in commerce; and operates as a live poultry dealer 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.: 13-10

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Settles Five Cases Resulting in \$7,650 in Civil Penalties

WASHINGTON, Mar. 04, 2010 - 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 recently settled five cases resulting in \$7,650 in civil penalties.

Rodney J. Wright, dba Wright Livestock, Inc., North Platte, Nebraska, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$875 after GIPSA found that he failed to pay, when due, for livestock.

Leslie Guy Casteel, Newell, South Dakota, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,125 after GIPSA found that he failed to pay, when due, for livestock.

Terry Blair, Terry Blair Livestock and Horse Sales, Alexandria, Tennessee, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that he failed to pay, when due, for livestock purchases.

Richard S. Hunter, dba H&H Farms, Baileyton, Alabama, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,400 after GIPSA found that he failed to pay, when due, for livestock.

Herman Schumacher, Herreid, South Dakota, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$750 after GIPSA found that he failed to pay, when due, for livestock.

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.: 16-10

Contact:
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GIPSA Alleges John Morrell & Co. Violated the Packers and Stockyards Act

WASHINGTON, Mar. 11, 2010- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that John Morrell (Morrell) & Co., Cincinnati, Ohio:

- When a lean percent was not recorded, Morrell substituted a lean percentage other than the average lean percent of the carcasses in the same lot in calculating the amounts to be paid for these carcasses; and
- Provided inaccurate and false accountings to the sellers of hogs.

GIPSA filed a complaint against Morrell on February 25, 2010. If the allegations are admitted, or proven in an oral hearing, Morrell may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Morrell was engaged in the business of purchasing livestock in commerce for the purpose of slaughter and of manufacturing or preparing meats or meat food 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.: 22-10

Contact:
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Terry Livestock, Inc., is Assessed a Civil Penalty in the Amount of \$13,200

WASHINGTON, Mar. 18, 2010 - On May 5, 2009, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a default decision against Terry Livestock, Inc., Hargill, Texas.

Terry Livestock, Inc. 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.

Terry Livestock, Inc. has also been assessed a civil penalty in the amount of \$13,200.

On July 14, 2009, Terry Livestock, Inc. filed an appeal petition with the Hearing Clerk which was denied.

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News Release

Release No.: 17-10

Contact:
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GIPSA Settles Two Cases Resulting in \$5,250 in Civil Penalties

WASHINGTON, Mar. 18, 2010 - 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 recently settled two cases resulting in \$5,250 in civil penalties.

Mike K. Street, Roan Mountain Tennessee, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,250 after GIPSA found that he failed to pay, when due, for livestock.

Taylor Bang, Killdeer, North Dakota, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,000 after GIPSA found that he failed to transfer original weights.

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News Release

Release No.: 19-10

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

WASHINGTON, March 18, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that John Lundgren (Lundgren):

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

GIPSA filed a complaint against Lundgren on March 3, 2010. 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 buying and selling livestock in commerce for his own account as a dealer 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.: 21-10

Contact:
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Townsend Farms of Arkansas, Inc. Pays \$48,000 Penalty To Settle USDA Complaint

WASHINGTON, Mar. 22, 2010 - On March 5, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) and Townsend Farms of Arkansas, Inc. (Townsend), of Batesville, Arkansas, settled an administrative complaint filed against Townsend in June of last year. The complaint and subsequent consent decision follow a GIPSA investigation in which GIPSA found evidence that Townsend Farms agreed to certain payment terms with poultry growers, but failed to follow through on that agreement with 32 of the 33 growers.

Following GIPSA's investigation, Townsend made payments to the 32 affected poultry growers totaling approximately \$114,000. As part of the consent decision, Townsend Farms paid an additional sum of \$48,000 as a civil penalty and has been ordered to cease and desist from failing to pay, when due, for live poultry obtained under any type of poultry growing arrangement before the close of the fifteenth day following the week in which the poultry is slaughtered.

"When growers don't get paid the money they are due, they are unable to make their mortgage payments and ultimately could lose their farms," according to GIPSA Administrator, J. Dudley Butler. "Life in rural America can be challenging. It is imperative that everyone plays by the rules."

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. GIPSA is committed to helping rural America prosper through enforcement of the Packers and Stockyards Act..



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News Release

Release No.: 24-10

Contact:
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Noah's Ark Processors Corp. aka Noah's Processors, LLC Is Assessed a Civil Penalty in the Amount of \$4,500

Washington, Mar. 25, 2010 - On March 9, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Noah's Ark Processors Corp. also known as Noah's Ark Processors, LLC (Noah's Ark), Dawson, Minnesota.

Noah's Ark was assessed a civil penalty in the amount of \$4,500 which has now been paid. This decision resolves a complaint that was filed on December 3, 2009, in which GIPSA alleged that Noah's Ark purchased livestock in commerce for the purpose of slaughter and or manufacturing or preparing meats or meat food products for sale or shipment in commerce without maintaining an adequate bond.

As of the date of this decision, Noah's Ark now maintains a \$95,000 bond.

The Packers and Stockyards Act is a fair trade practice and payment protection law that.



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News Release

Release No.: 23-10

Contact:
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GIPSA Settles a Case Resulting in a \$2,375 Civil Penalty

Washington, Mar. 25, 2010 - 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 recently settled a case resulting in a \$2,375 civil penalty.

Todd Fortner, dba F&F Farms & Cattle, Inc., Kite, Georgia, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,375 after GIPSA found that he failed to pay for livestock when due.

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News Release

Release No.: 26-10

Contact:
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Tracy Carter Has Been Suspended By USDA

WASHINGTON, Apr. 1, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a decision without hearing by reason of default, which became final on March 2, 2010, against Tracy Carter (Carter), Bowling Green, Kentucky.

Carter has been ordered to cease and desist from operating without first obtaining a bond as required by the Packers and Stockyards (P&S) Act.

Carter is suspended as a registrant for 30 days.

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News Release

Release No.: 25-10

Contact:
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GIPSA Settles Cases Resulting in \$5,875 in Civil Penalties

WASHINGTON, Apr. 1, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (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 recently settled three cases resulting in \$5,875 in civil penalties.

Leanin B, LLC, Janet Lenz, Sac City, Iowa, waived her right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,000 after GIPSA found that she failed to pay for livestock within the time period required by the P&S Act.

Arnold Kuhn, dba Cloverleaf Cattle Company, Mandan, North Dakota, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,625 after GIPSA found that he failed to pay for livestock when due.

Richard C. Mercer, LaVeen, Arizona, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,250 after GIPSA found that he failed to pay for livestock when due.

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News Release

Release No.: 28-10

Contact:
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USDA Publishes Swine Contract Library Final Rule

WASHINGTON, Apr. 5, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) published a final rule re-establishing the regulatory authority for the Swine Contract Library's continued operation. The rule also incorporates certain changes contained within the Reauthorization Act that impact the library, and makes other changes to enhance the library's overall effectiveness and efficiency in response to input from regulated entities and the public.

USDA also requested a 3-year extension of and revision to to the currently approved information collection in support of the reporting and recordkeeping requirements for the Swine Contract Library program. This approval is required under the Paperwork Reduction Act.

On August 11, 2003, GIPSA implemented new Subtitle B of Title II of the P&S Act, which was added by the Livestock Mandatory Reporting Act of 1999 (1999 Act), and established the Swine Contract Library. The statutory authority for the library lapsed on September 30, 2005. On October 5, 2006, the Livestock Mandatory Reporting Reauthorization Act reauthorized the 1999 Act until September 30, 2010, and also amended the swine reporting requirements of the 1999 Act.

GIPSA published a Notice of Proposed Rulemaking in the Federal Register on October 26, 2009 (74 FR 54928), and invited interested parties to comment on the re-authorization of the Swine Contract Library regulations. GIPSA received no comments on the proposed rule during the comment period that ended on December 28, 2009.

The Final Rule was published in the April 2 Federal Register. Additional information is available in GIPSA's Federal Register notice at archive.gipsa.usda.gov.

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News Release

Release No.: 27-10

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

WASHINGTON, Apr. 8, 2010 - 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 recently settled a case resulting in a \$1,500 civil penalty.

United Producers, Inc., Columbus, Ohio, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that their swine production contract did not disclose the grower's right to cancel the contract, including the method and deadline for cancellation; or contain an Additional Capital Investments Disclosure Statement.

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.: 30-10

Contact:
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GIPSA Alleges Duane A. Schmidt Violated the Packers and Stockyards Act

WASHINGTON, Apr. 14, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Duane A. Schmidt (Schmidt) failed to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Schmidt on April 2, 2010. If the allegations are admitted, or proven in an oral hearing, he may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

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

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.: 40-10

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

WASHINGTON, Apr. 22, 2010 - 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 recently settled a case resulting in a \$500 civil penalty.

Jed Peterson, Jed Peterson Holsteins, Inc., Brush, Colorado, waived his right to a hearing, entered into a stipulation agreement, and paid 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.: 36-10

Contact:
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GIPSA Alleges Tallgrass Beef Company, LLC Violated the Packers and Stockyards Act

WASHINGTON, Apr. 22, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Tallgrass Beef Company, LLC, (Tallgrass), Sedan, Kansas:

- failed to pay in a timely manner the full purchase price owed for livestock purchases;
- failed to pay, as of November 30, 2009, a total of \$1,595,039.81 for livestock purchases;
- operated without a bond; and
- had current liabilities in excess of current assets on November 30, 2009, and was therefore insolvent on that date.

GIPSA filed a complaint against Tallgrass on April 7, 2010. If the allegations are admitted, or proven in an oral hearing, Tallgrass may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Tallgrass is engaged in the business of buying livestock in commerce for the purpose of slaughter and after the custom slaughter and processing of the livestock, of marketing meats, meat food products, or livestock products in an unmanufactured form acting as a wholesale distributor in commerce, and is a packer subject to the provisions of the Packers and Stockyards (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.: 39-10

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Gulf Packing Company, LP and Charles L. Booth Violated the Packers and Stockyards Act

WASHINGTON, Apr. 22, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gulf Packing Company, LP (Gulf Packing), San Benito, Texas, and Charles L. Booth (Booth):

- purchased livestock and did not pay the full purchase price to the seller, Haw Shoe Farms;
- purchased livestock and made deductions to invoices issued by the seller after the transaction had been completed; and
- purchased livestock and failed to pay for livestock purchases in a timely manner.

GIPSA filed a complaint against Gulf Packing and Booth on April 14, 2010. If the allegations are admitted, or proven in an oral hearing, Gulf Packing and Booth may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Gulf Packing engaged in the business of buying livestock in commerce for the purposes of slaughter; slaughtering cattle and manufacturing or preparing meat or meat food products for sale or shipment in commerce; and is a packer.

Booth is president, managing partner, 60% shareholder of Gulf Packing, a packer, and responsible for the day-to-day direction, management and control of Gulf Packing.

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.: 33-10

Contact:
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GIPSA Alleges George Gonzalez Violated the Packers and Stockyards Act

WASHINGTON, Apr. 22, 2010 0- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that George Gonzalez (Gonzalez), Donna, Texas, as of the date of the filing of this complaint, is operating as a market agency buying on commission without a bond or bond equivalent, and Packers and Stockyards Program has not received an application for registration or bond coverage.

GIPSA filed the complaint against Gonzalez on April 9, 2010. If the allegations are admitted, or proven in an oral hearing, Gonzalez may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a 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.: 35-10

Contact:
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Farmers Livestock, Inc., dba Springlake Stockyard to Pay Fine For Not Filing Reports with USDA

WASHINGTON, Apr. 22, 2010 - Farmers Livestock, Inc., doing business as Springlake Stockyard, has been ordered to pay a \$2,500 civil penalty for not filing, on time, required annual reports with the Packers and Stockyards Program of USDA. The United States Attorney's Office for the Western District of Virginia handled this case on behalf of USDA and negotiated a Settlement Agreement with Farmers Livestock, Inc.

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 Grain Inspection, Packers and Stockyards Administration (GIPSA) uses to ensure farmers and ranchers are financially protected when they sell their livestock. Farmers Livestock is registered with the Secretary of Agriculture to operate as a market agency.

Their 2006 annual report, which was due on April 15, 2007, was not filed until June 11, 2009. Penalties for not filing the GIPSA annual report are set by law at \$110 per day for every day the report is late. Farmers Livestock face a full penalty of \$81,070 for filing their report 737 days late.

Their 2007 annual report, which was due on April 15, 2008, was not filed until June 11, 2009, 370 days late. Farmers Livestock face a full penalty of \$40,700. Under the terms of the Settlement Agreement, however, Farmers Livestock will pay \$2,500 within six months of November 4, 2009.

If Farmers Livestock fails to timely file the required Annual Report of Market Agency for 2009, 2010, and 2011, or fail to pay \$2,500, they will have defaulted on the settlement and will immediately forfeit an additional \$7,000 to the United States without further procedure.

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.: 44-10

Contact:
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GIPSA Settles Cases Resulting in \$4,100 in Civil Penalties

WASHINGTON, Apr. 29, 2010 - 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 recently settled cases resulting in \$4,100 in civil penalties.

Brian Gader, doing business as Gader Cattle Company, Napoleon, North Dakota, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that he failed to pay within the time period required by the P&S Act for livestock.

John F. Loomis, H&L Cattle Co., Inc., Mondovi, Wisconsin, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,600 after GIPSA found that he failed to pay when due for livestock.

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.: 32-10

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

WASHINGTON, Apr. 29, 2010 - 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), Canfield, Ohio:

- failed to have their scales tested at six-month intervals and did not furnish a copy of the report to the regional director in the Midwestern Regional Office since October 18, 2006; and
- sold livestock in commerce on a commission basis using a scale that had not been tested in accordance with 9 C.F.R. § 201.72.

GIPSA filed a complaint against New Wilmington and Skelton on April 15, 2010. 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 P&S Act, suspended, and assessed a civil penalty.

New Wilmington engaged in the business of conducting and operating a posted stockyard; is a market agency selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture as a market agency to sell livestock in commerce on a commission basis.

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

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.: 31-10

Contact:
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GIPSA Alleges Lonnie & Karen Martin Violated the Packers and Stockyards Act

WASHINGTON, Apr. 29, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Lonnie and Karen Martin (the Martins), East Earl, Pennsylvania:

- failed to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act;
- bought livestock in commerce without maintaining an adequate bond;
- issued checks in payment for livestock purchases without maintaining sufficient funds to cover payment; and
- as of the date of the filing of this complaint, owes payment to four sellers in the amount of \$236,946.02.

GIPSA filed a complaint against the Martins on April 15, 2010. If the allegations are admitted, or proven in an oral hearing, they may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

The Martins engaged in the business of buying livestock in commerce for the purpose of slaughter, slaughtering hogs and manufacturing or preparing meat or meat products for sale or shipment in commerce; and a packer subject to the P&S Act.

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.: 18-10

Contact:
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James Bailey, dba B&B Farms, LLC is Assessed a \$11,000 Civil Penalty

WASHINGTON, May 6, 2010- On April 20, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a default decision against James Bailey (Bailey), doing business as B&B Farms, LLC, Mineral Bluff, Georgia.

Bailey has been ordered to cease and desist from:

- issuing checks for livestock purchases without having sufficient funds on deposit to pay for said purchases; and
- failing to pay the full purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act.

Bailey is suspended as a registrant for a period of five years and is assessed a civil penalty in the amount of \$11,000.

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.: 46-10

Contact:
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GIPSA Settles Cases Resulting in \$6,000 in Civil Penalties

WASHINGTON, May 6, 2010 - 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 recently settled cases resulting in \$6,000 in civil penalties.

Leo Heinrich, doing business as Heinrich Cattle Company, Bowman, North Dakota, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,500 after GIPSA found that he failed to pay within the time period required by the P&S Act.

Bruce Medley, dba B&M Livestock, Smithville, Tennessee, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,500 after GIPSA found that he failed to pay for livestock within the time period required by the P&S Act.

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.: 15-10

Contact:
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GIPSA Alleges WW Boer Goats, Inc., aka Boer Meat Goats, LLC and Frank Willis Violated the Packers and Stockyards Act

WASHINGTON, May 6, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that WW Boer Goats, Inc. (Boer Goats), also known as Boer Meat Goats, LLC (Boer Meat) and Frank Willis (Willis), Adair, Oklahoma:

- failed to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act; and
- failed to maintain an adequate bond.

GIPSA filed a complaint against Boer Goats, Boer Meats and Willis on April 19, 2010. If the allegations are admitted, or proven in an oral hearing, they may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Boer Goats engaged in the business of a market agency buying livestock on a commission basis and as a dealer buying and selling livestock in commerce. Boer Goats filed for Chapter 7 bankruptcy on February 25, 2009, but still continued livestock operations after that date.

Boer Meat engaged in the business of a dealer buying and selling livestock in commerce.

Willis is president of Boer Goats; owns 100% of Boer Meats, is responsible for the direction, management and control of both companies; and is a market agency and dealer.

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News Release

Release No.: 20-10

Contact:
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GIPSA Alleges First World Management Services, Inc., dba Bios Zabeeha Halal Foods and Tahawwur H. Rana Violated the Packers and Stockyards Act

WASHINGTON, May 6, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that First World Management Services, Inc., (First World), doing business as Bios Zabeeha Halal Foods and Tahawwur H. Rana (Rana), Kinsman, Illinois:

- failed to pay for livestock purchases; and
- failed to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against First World and Rana on April 19, 2010. If the allegations are admitted, or proven in an oral hearing, First World and Rana may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

First World and Rana engaged in the business of buying livestock in commerce for the purpose of slaughter; manufactures or prepares meat and meat food products for sale or shipment in commerce; and is a packer.

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.: 47-10

Contact:
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GIPSA Settles Five Cases Resulting in \$56,487 in Civil Penalties

WASHINGTON, May 13, 2010 - 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 alleged violators the option of waiving their rights to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA recently settled five cases resulting in \$56,487 in civil penalties.

Cargill Meat Solutions Corporation, Cargill Pork, LLC (Cargill), Wichita, Kansas, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$45,000 after GIPSA found that Cargill failed to incorporate changes in livestock contracts. This offer of settlement was made, in part, because after receiving a notice from GIPSA of an upcoming audit, Cargill self reported the violation. Those changes were mandated by the 2008 Farm Bill. Cargill failed to include in its contracts, among other things, a provision giving the producer the option to decline use of arbitration to resolve disputes arising under the contract.

West Michigan Beef Company, LLC, Hudsonville, Michigan, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,400 after GIPSA found that it failed to use a scale ticket printer installed on the monorail scale when purchasing livestock on a carcass weight basis.

Michael M. Jorgensen, dba Western State Livestock, Limon, Colorado, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$4,000 after GIPSA found that he was operating without registration, operating without financial instrument, and failed to pay, when due, for livestock.



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Good's Cattle Company, Inc., Denver, Pennsylvania, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,699 after GIPSA found it had failed to pay for livestock when due.

NFO Members Livestock, Inc., dba Nexus Marketing, Ames, Iowa, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,388 after GIPSA found it failed to pay for livestock when due.

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.: 41-10

Contact:
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GIPSA Alleges American Beef Packers, Inc. Violated the Packers and Stockyards Act

WASHINGTON, May 13, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that American Beef Packers, Inc. (American Beef), Chino, California, purchased livestock and failed to pay in a timely manner the full purchase price for the livestock purchased.

GIPSA filed a complaint against American Beef on April 20, 2010. If the allegations are admitted, or proven in an oral hearing, American Beef may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

American Beef 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 is a packer.

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.: 49-10

Contact:
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Ruben S. Saavedra, Jr. is Assessed a Civil Penalty in the Amount of \$5,000

WASHINGTON, May 20, 2010 - On May 5, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision by reason of consent with Ruben Saavedra, Jr. (R. Saavedra), Jarales, New Mexico.

R. Saavedra 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 and registering with the Secretary.

R. Saavedra has also been assessed a civil penalty in the amount 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.: 38-10

Contact:
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McLaughlin Livestock, Inc. Has Been Suspended By USDA

WASHINGTON, May 20, 2010 - On May 5, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision without hearing by reason of admissions with McLaughlin Livestock, Inc. (McLaughlin), McLaughlin, South Dakota.

McLaughlin has been ordered to cease and desist from operating while its current liabilities exceed its current assets.

McLaughlin is suspended as a registrant for 30 days.

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.: 48-10

Contact:
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GIPSA Settles Two Cases Resulting in \$3,550 in Civil Penalties

WASHINGTON, May 20, 2010 - 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 recently settled two cases resulting in \$3,550 in civil penalties.

Cary N. Ponder, dba Ponder Livestock Company, Greenwood, South Carolina, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,550 after GIPSA found that Ponder failed to pay when due for livestock.

Joseph Blystone, Blystone Farm, LLC, Canal Winchester, Ohio, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,000 after GIPSA found that he failed to install a printer on scale.

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.: 50-10

Contact:
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Efren Saavedra, Jr. dba Ft. Worth & Company is Assessed a Civil Penalty in the Amount of \$4,000

WASHINGTON, May 20, 2010 - On May 5, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision by reason of consent with Efren Saavedra, Jr.

(E. Saavedra), doing business as Ft. Worth & Company, Albuquerque, New Mexico. E. Saavedra has been ordered to cease and desist from:

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

E. Saavedra 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.: 56-10

Contact:
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Richard Hale is Assessed a Civil Penalty in the Amount of \$10,000

WASHINGTON, June 3, 2010 - On May 20, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision by reason of consent with Richard Hale, Twin Falls, Idaho.

Richard Hale has been ordered to cease and desist from failing to pay sellers for the sale of their livestock within the time period required by the Packers and Stockyards (P&S) Act.

Richard Hale has also 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.: 58-10

Contact:
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GIPSA Settles Two Cases Resulting in \$5,750 in Civil Penalties

WASHINGTON, June 3, 2010 - 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 recently settled two cases resulting in \$5,750 in civil penalties.

Park Packing Company, Chicago, Illinois, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,250 after GIPSA found that he failed to pay, when due, for livestock.

Mark Robinson, doing business as Robinson Livestock, Lemmon, South Dakota, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,500 after GIPSA found that he failed to pay, when due, for livestock.

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.: 57-10

Contact:
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GIPSA Alleges Vermilion Ranch Co., dba Northern Livestock Video Auction Violated the Packer and Stockyards Act

WASHINGTON, June 3, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Vermilion Ranch (Vermilion Ranch) Co., doing business as Northern Livestock Video Auction, Billings, Montana:

- sold cattle on two occasions in 2008, using a scale that had been rejected; and
- sold cattle on three occasions in 2008, using a scale that was made inactive in 2005 by the scale owner.

GIPSA filed a complaint against the Vermilion Ranch on May 27, 2010. If the allegations are admitted, or proven in an oral hearing, Vermilion Ranch may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Vermilion Ranch is engaged in the business of buying and selling livestock in commerce for its own account as a market agency and is registered with the Secretary of Agriculture as a market agency selling livestock on commission.

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.: 43-10

Contact:
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GIPSA Alleges Robert and Patricia Trindade, dba Newman Livestock Auction Misused Their Custodial Account

WASHINGTON, June 3, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Robert Trindade and Patricia Trindade, doing business as Newman Livestock Auction, Newman, California:

- issued custodial checks without having sufficient funds to cover checks;
- failed to reimburse the custodial account for bank charges;
- misused custodial account funds by transferring money from the custodial account to the general account; and
- failed to remit the net proceeds due from the sale of livestock on a commission basis to 89 consignors for 168 consignments.

GIPSA filed a complaint against the Robert and Patricia Trindade on May 11, 2010. If the allegations are admitted, or proven in an oral hearing, Robert and Patricia Trindade may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Robert and Patricia Trindade were engaged in the business of a market agency selling livestock in commerce on a commission basis, dealers buying and selling livestock in commerce for their own account; and are registered with the Secretary of Agriculture as a market agency selling livestock in commerce on a commission basis and as a dealer buying and selling livestock 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.: 42-10

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges H.D. Edwards Operated as a Dealer without a Bond

WASHINGTON, June 3, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that H.D. Edwards, Marana, Arizona:

- operated as a dealer, buying and selling livestock in commerce for his own account, without a bond or bond equivalent in violation of the Packers and Stockyards (P&S) Act; and
- failed to pay the full purchase price for the livestock within the time period required by the P&S Act.

GIPSA filed a complaint against the H.D. Edwards on May 26, 2010. If the allegations are admitted, or proven in an oral hearing, H.D. Edwards may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

H.D. Edwards was operating as a dealer, buying and selling livestock in commerce for his own account; and is not registered, as required, as a dealer 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.: 37-10

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Daniel Murray Did Not Maintain an Adequate Bond In Violation of the Packers and Stockyards Act

WASHINGTON, June 3, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Daniel Murray operated as a dealer buying on commission without maintaining an adequate bond.

GIPSA filed a complaint against Daniel Murray on May 26, 2010. If the allegations are admitted, or proven in an oral hearing, Daniel Murray may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

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

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.: 18-10

Contact:
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Catherine.M.Grasso@usda.gov

Jeff Dutton, dba Jeff Dutton Cattle Co., and dba Bar 7 Cattle Co. is Suspended as a Registrant

WASHINGTON, June 17, 2010 - On June 2, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a default decision against Jeff Dutton (Dutton), doing business as Jeff Dutton Cattle Co., and doing business as Bar 7 Cattle Co., Texas.

Dutton has been ordered to cease and desist from:

- engaging in business without maintaining an adequate bond;
- issuing checks for livestock purchases without having sufficient funds on deposit to pay for said purchases;
- 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 purchases.

Dutton is suspended as a registrant 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.: 60-10

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Settles a Case Resulting in a \$3,500 Civil Penalty

WASHINGTON, June 17, 2010 - 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 recently settled a case resulting in a \$3,500 civil penalty.

John D. Radford, Urbana, Ohio, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,500 after GIPSA found that he failed to pay, within the time period required by the P&S Act, 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.: 61-10

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

GIPSA Identifies Livestock Dealers and Market Agencies with Expired Registrations

WASHINGTON, June 17, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has posted a list, on its web site, of livestock dealers and market agencies, whose registrations to operate under the Packers and Stockyards Act have recently expired.

As of March 11, 2010, Packers and Stockyards (P&S) regulations require dealers and market agencies to timely file their required annual report with GIPSA in order to maintain a current registration. Under section 201.10 of the P&S regulations, those registrations expire if annual reports are not submitted timely. GIPSA has posted the list of those dealers and market agencies whose registrations have expired. The list is available for public review on GIPSA's web site under the link Regulated Entities.

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.: 62-10

Contact:
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Catherine.M.Grasso@usda.gov

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

WASHINGTON, June 24, 2010 - 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 recently settled a case resulting in a \$1,500 civil penalty.

4J Cattle Co., LLC and Randy Stewart, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that he operated as a livestock dealer subject to the P&S Act without filing the required bond coverage.

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.: 64-10

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

Joe Barkdull and Larry Spegal, dba Knightstown Livestock Auction Misused Their Custodial Account

WASHINGTON, July 8, 2010 - On June 25, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision without hearing by reason of consent with Joe Barkdull (Barkdull) and Larry Spegal (Spegal), doing business as Knightstown Livestock Auction, Knightstown, Indiana.

Barkdull and Spegal have been ordered to cease and desist from:

- failing to deposit in their Custodial Account for Shippers' Proceeds, within the time prescribed, amounts equal to the outstanding proceeds receivable for the sale of consigned livestock;
- failing to properly use and maintain their Custodial Account for Shippers' Proceeds;
- using funds from the sale of consigned livestock for purposes other than payment to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges; and
- operating while insolvent as required by the Packers and Stockyards (P&S) Act and regulations.

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.: 52-10

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

GIPSA Posts Stockyard Tariffs on Web Site

WASHINGTON, DC (July 08, 2010) - The USDA Grain Inspection, Packers and Stockyards Administration today posted on its web site the tariffs, or schedules of rates and charges for stockyard services, for all stockyards and market agencies selling on commission that are operating at posted stockyards.

Each stockyard owner and market agency selling on commission operating at a posted stockyard must file with GIPSA a schedule of rates and charges, and must post the schedule, or tariff, on the business' premises in an area that is accessible and visible to the public. Each tariff must include a description of the stockyard services rendered, the stockyard at which it applies, the name and address of the stockyard owner or market agency, the kind of livestock covered, and any rules or regulations that may affect any rate or charge. If applicable, the tariff also must include feed charges, if any, and charges for professional veterinary service rendered.

GIPSA's listing of stockyard tariffs is located at http://archive.gipsa.usda.gov/psp_tariff/default.aspx. Users can search by state for tariffs for specific facilities.

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.: 66-10

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Extends Comment Period for Farm Bill Proposed Rule

WASHINGTON, DC (July 26, 2010) - The USDA Grain Inspection, Packers and Stockyards Administration is extending the comment period for the regulations required by Title XI of the Food, Conservation and Energy Act of 2008 and regarding conduct in violation of the Packers and Stockyards Act until November 22, 2010.

GIPSA published the proposed rule in the Federal Register on June 22, 2010 (75 FR 35338). The Agency proposed adding several new sections to the regulations under the Packers and Stockyards Act of 1921, as amended and supplemented.

GIPSA will consider comments received by November 22, 2010. Comments may be submitted via e-mail to comments.gipsa@usda.gov; hard copy via mail, hand delivery, or courier to Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW, Room 1643-S, Washington, DC 20250-3604; fax to (202) 690-2173; or via the Federal eRulemaking Portal at <http://www.regulations.gov>.

There also will be a fact sheet about the rule on the GIPSA web page.

For further information, contact Brett Offutt, Director, GIPSA Policy and Litigation Division, at (202) 720- 7363.

Dana Stewart
202-720-5091.



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News Release

Release No.: 67-10

Contact:
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GIPSA Settles a Case Resulting in a \$1,000 Civil Penalty

WASHINGTON, July 29, 2010 - 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 recently settled a case resulting in a \$1,000 civil penalty.

Farmington Livestock, LLC and Keith Robertson, Bourbon, Missouri, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,000 after GIPSA found that he had a custodial shortage, misused custodial funds, and failed to keep adequate records.

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.: 65-10

Contact:
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El Campo Livestock Co., Inc. and John Banker are Assessed a Civil Penalty in the Amount of \$4,000

WASHINGTON, July 29, 2010 - On June 2, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with El Campo Livestock Co., Inc. (El Campo) and John Banker (Banker), El Campo, Texas. El Campo and Banker have been ordered to cease and desist from:

- failing to deposit in the Custodial Account for Shippers' proceeds, within the times prescribed in the regulations, amounts equal to the outstanding proceeds receivable from the sale of consigned livestock; and
- failing to maintain the Custodial Account for Shippers' proceeds in strict conformity with the regulations.

El Campo and Banker have 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.: 34-10

Contact:
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Chuck L. Matteson and Justin L. Matteson, dba Matteson Livestock are Assessed a Civil Penalty in the Amount of \$17,500

WASHINGTON, July 29, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a default decision, which became final on July 19, 2010, against Chuck L. Matteson (C. Matteson) and Justin L. Matteson (J. Matteson), Heppner, Oregon, doing business as Matteson Livestock.

C. and J. Matteson have been ordered to cease and desist from:

- failing to pay the full purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act;
- failing to pay the full purchase price for livestock purchases; and
- failing to maintain records that fully and correctly disclose all transactions subject to the P&S Act.

C. and J. Matteson are suspended as registrants for a period of five years. They have also been assessed a civil penalty in the amount of \$17,500.

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.: 68-10

Contact:
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GIPSA Alleges Royal Halal Meats, Inc. Failed to Pay for Livestock Purchases

WASHINGTON, Aug. 12, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's (GIPSA) has found evidence that Royal Halal Meats, Inc. (Royal Halal), Detroit, Michigan:

- purchased livestock on a live-weight basis and failed to pay the full purchase price for livestock;
- issued a check for livestock purchases without having sufficient funds to cover the check; and
- as of the date of this complaint, approximately \$58,535.94 remains unpaid for livestock purchases.

GIPSA filed a complaint against Royal Halal on August 6, 2010. The complaint can be found on the GIPSA Web. If the allegations are admitted, or proven in an oral hearing, Royal Halal may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Royal Halal is a packer engaged in the business of buying livestock in commerce for the purpose of slaughter.

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.: 70-10

Contact:
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Warren Hudspeth is Suspended as a Dealer

WASHINGTON, Aug. 19, 2010 - On August 9, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Warren Hudspeth (Hudspeth), Pilot Point, Texas.

Hudspeth has been ordered to cease and desist from:

- issuing checks without having sufficient funds available;
- 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; and
- failing to pay the full purchase for livestock purchases.

Hudspeth's individual dealer registration with the Packers and Stockyards Program has been suspended for a period of five years.

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News Release

Release No.: 69-10

Contact:
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GIPSA Settles a Case Resulting in a \$1,250 Civil Penalty

WASHINGTON, Aug. 19, 2010 - 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 recently settled a case resulting in a \$1,250 civil penalty.

Red Rock Holdings, Inc., Brewster, Minnesota, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,250 after GIPSA found that it failed to disclose contract producers right, prior to entering the contract, to decline to be bound by the arbitration provisions in the contract.

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.: 71-10

Contact:
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GIPSA Settles a Case Resulting in a \$2,500 Civil Penalty

WASHINGTON, Aug. 26, 2010 -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 recently settled a case resulting in a \$2,500 civil penalty.

Lynn R. Hottle, Rome, Pennsylvania, waived rights to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,500 after GIPSA found that Hottle failed to pay for livestock within the time period required by the P&S Act.

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News Release

Release No.: 73-10

Contact:
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GIPSA Settles Two Cases Resulting in \$2,000 in Civil Penalties

WASHINGTON, Sept. 2, 2010 - 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 recently settled two cases resulting in \$2,000 in civil penalties.

Leon Farrow, dba J&L Farms, Ledyard, Iowa, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,000 after GIPSA found that he failed to pay, when due, for livestock.

Ricardo De Los Santos, Dairyland Packing, Inc., dba Pecos Valley Meat, Roswell, New Mexico, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,000 after GIPSA found that he failed to pay, when due, for livestock and failed to maintain 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.: 74-10

Contact:
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Deward B. Wolfe and Jonathan Wolfe, dba Wolfe Livestock are assessed a Civil Penalty in the Amount of \$2,200

WASHINGTON, Sept. 2, 2010 - On August 20, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Deward B. Wolfe and Jonathan Wolfe, dba Wolfe Livestock, Bean Station, Tennessee.

Deward and Jonathan Wolfe have been ordered to cease and desist from 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.

Deward and Jonathan Wolfe have been assessed a civil penalty in the amount of \$2,200.

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.: 75-10

Contact:
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Kao Vang and Chue Thao, dba California Fresh Meats are Assessed A Civil Penalty in the Amount of \$14,000

WASHINGTON, Sept. 9, 2010 - On August 16, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a default decision against Kao Vang (Vang) and Chue Thao (Thao), doing business as California Fresh Meats, Fresno, California.

Vang and Thao 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.

Vang and Thao have been 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.: 76-10

Contact:
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E.M.M. Pig Placement Co., LLC is Suspended as a Registrant

WASHINGTON, Sept. 9, 2010 - On August 25, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a default decision against E.M.M. Pig Placement Co., LLC (E.M.M.).

E.M.M. has been ordered to cease and desist from failing to pay, in a timely manner, the full purchase price of livestock and failing to pay the full purchase price of livestock.

E.M.M. has been suspended as a registrant for a period of five years. A supplemental order may be issued terminating the suspension of E.M.M. if circumstances are demonstrated warranting modification of the order.

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.: 54-10

Contact:
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Clarence Ricky Fisher, aka Ricky Fisher is Assessed a Civil Penalty in the Amount of \$12,500

WASHINGTON, Sept. 9, 2010- On August 25, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a default decision against Clarence Ricky Fisher, also known as Ricky Fisher (Fisher), South Loretto, Tennessee.

Fisher 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.

Fisher has been assessed a civil penalty in the amount of \$12,500.

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News Release

Release No.: 77-10

Contact:
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GIPSA Settles Two Cases Resulting in \$8,350 in Civil Penalties

WASHINGTON, Sept. 23, 2010 - 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 recently settled two cases resulting in \$8,350 in civil penalties.

Gary Davis, dba Caldwell Sales Company, Caldwell, Kansas waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,600 after GIPSA found that he had custodial account shortages and custodial misuses.

Rod Taylor and Perkins Livestock LLC, Perkins, Oklahoma, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$5,750 after GIPSA found that he operated with shortages in his custodial account, had custodial account misuses, and falsified records.

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.: 84-10

Contact:
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Otis Lewis Fortner II, dba Lewie Fortner Livestock is assessed A Civil Penalty in the Amount of \$2,000

WASHINGTON, Oct. 7, 2010 - On September 29, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Otis Lewis Fortner II (Fortner), doing business as Lewie Fortner Livestock, Kite, Georgia. Fortner has been ordered to cease and desist from:

- 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; and
- failing to pay the full purchase price for livestock.

Fortner has been assessed a civil penalty in the amount of \$2,000.

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.: 53-10

Contact:
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James Masters LLC is Assessed a \$2,640 Civil Penalty

WASHINGTON, Oct. 7, 2010 - On September 7, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued a default decision against James Masters (Masters), Wheeler, Texas.

Masters 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 maintaining an adequate bond or bond equivalent; and
- failing to keep accounts, records, and memoranda that fully and correctly disclose all transactions involved in his business.

Masters has been assessed a civil penalty in the amount of \$2,640.

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.: 82-10

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

GIPSA Alleges Ravenna Auction, LLC and LaVerne Lettinga Misused Custodial Account for Shippers' Proceeds and Misrepresented Weights and Purchase Price

WASHINGTON, Oct. 7, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ravenna Auction, LLC (Ravenna Auction) and LaVerne Lettinga (Lettinga), Ravenna, Michigan:

- operated with a Custodial Account for Shippers' Proceeds shortage;
- failed to timely reimburse the custodial account;
- failed to maintain records that fully and correctly disclosed all transactions involved in the business;
- misused the custodial account by depositing custodial funds in the general account, using custodial funds for loan repayments, and allowing bank charges to be withdrawn from the custodial account; and
- misrepresented to consignors the actual weight and purchase prices of livestock sold on grade and weight basis to packers, resulting in a monetary loss to consignors.

GIPSA filed a complaint against Ravenna Auction and Lettinga on September 30, 2010. If the allegations are admitted, or proven in an oral hearing, Ravenna Auction and Lettinga may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Ravenna Auction 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 as a market agency to sell livestock in commerce on a commission basis.

Lettinga was president, 100% owner and responsible for the management, direction, and control of Ravenna Auction.

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.: 83-10

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

GIPSA Alleges Randall J. Unger Failed to Pay for Livestock Purchases

WASHINGTON, Oct. 7, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Randall J. Unger (Unger), doing business as Lake Area Livestock Marketing, Watertown, South Dakota:

- purchased livestock and did not pay the full purchase price for livestock; and
- issued checks in payment for livestock purchases that were returned unpaid by the bank.

GIPSA filed a complaint against JBS on September 30, 2010. If the allegations are admitted, or proven in an oral hearing, Unger may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty.

Unger was engaged in the business of buying and selling livestock in commerce and is registered with the Secretary of Agriculture as a dealer buying and selling 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.: 79-10

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Lake Odessa Livestock Auction, Inc. & LaVerne Lettinga Violated the Packers and Stockyards Act

WASHINGTON, Oct. 7, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Lake Odessa Livestock Auction, Inc. (Lake Odessa) and LaVerne Lettinga (Lettinga), Lake Odessa, Michigan:

- operated with a Custodial Account for Shippers' Proceeds shortage;
- failed to timely reimburse the custodial account;
- deposited custodial account funds proceeds into its general account;
- issued check to consignors or shippers of livestock which were returned unpaid;
- failed to remit, when due, the net proceeds due to consignors from the sale of livestock on a commission basis; and
- allowed bank charges to be withdrawn from the custodial account.

GIPSA filed a complaint against Lake Odessa and Lettinga on October 4, 2010. If the allegations are admitted, or proven in an oral hearing, Lake Odessa and Lettinga may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and/or assessed a civil penalty.

Lake Odessa engaged in the business of a market agency selling livestock in commerce on a commission basis. Lake Odessa is also registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for its own account and as a market agency to buy and sell livestock in commerce on a commission basis.

Lettinga was president, general manager, director and 50% owner of Lake Odessa. Lettinga was also responsible for the management, direction, and control of Lake Odessa.

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.: 81-10

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

GIPSA Alleges JBS USA, LLC, fka Swift & Company and Swift Pork Company Violated the Packers and Stockyards Act

WASHINGTON, Oct. 7, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that JBS USA, LLC (JBS), formerly known as Swift & Company and Swift Pork Company, Greeley, Colorado:

- Used an electronic probe known as the Fat-O-Meat'er to calculate the lean percent of processed hogs in order to adjust carcass merit payment to hog sellers and on occasion the Fat-O-Meat'er probe failed to obtain lean data for a particular carcass or carcasses in a lot. Additionally, lean percent was not calculated for carcasses with missing data;
- JBS purchased hogs on a carcass merit basis and provided inaccurate accountings to sellers in that JBS failed to disclose when missing Fat-O-Meat'er data prevented JBS from calculating the lean percent of a particular carcass or carcasses in a seller's lot and substituted an arbitrary lean value of 49% for carcasses with missing data;
- Hog sellers to JBS' plants received an automatic discount of \$1 to \$2 per hundredweight (cwt) for carcasses with missing Fat-O-Meat'er data and were unable to obtain possible premiums of up to \$5.30 cwt for those carcasses; and
- JBS' use of an undisclosed, arbitrary lean percent value of 49% to calculate carcass merit payments for carcasses with missing Fat-O-Meat'er data, versus a lean percent equal to the average of the remainder of the lot, reduced payments for hogs delivered to JBS' Worthington, Marshalltown, and Louisville plants by an estimated \$350,000 during the period of January 1, 2007, through November 30, 2007.

GIPSA filed a complaint against JBS on September 30, 2010. If the allegations are admitted, or proven in an oral hearing, JBS may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

JBS engaged in the business of buying livestock 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.: 80-10

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Charles Jeffers Failed to Pay for Livestock Purchases

WASHINGTON, Oct. 7, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Charles Jeffers (Jeffers), Somerset, Ohio:

- purchased livestock and did not pay the full purchase price for livestock; and
- as of the date of this complaint, \$23,600.44 remains unpaid.

GIPSA filed a complaint against Jeffers on September 29, 2010. If the allegations are admitted, or proven in an oral hearing, Jeffers may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and assessed a civil penalty. Jeffers was engaged in the business of buying and selling livestock in commerce as a dealer for his own account or the account of others 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.: 85-10

Contact:
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Catherine.M.Grasso@usda.gov

Terry Roth, dba Indian Creek Meadows is assessed A Civil Penalty in the Amount of \$10,000

WASHINGTON, Oct. 14, 2010 - On September 22, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Terry Roth (Roth), doing business as Indian Creek Meadows, Millersville, Missouri.

Roth is suspended as a registrant for a period of five years and has been assessed a civil penalty in the amount of \$10,000.

The decision results from an investigation culminated in a complaint filed on December 23, 2009, in which GIPSA alleged that Roth failed to pay sellers for the sale of their livestock within the time period required by the Packers and Stockyards (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. The complaint can be found on the GIPSA Web site..



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News Release

Release No.: 88-10

Contact:
Catherine M. Grasso, (202) 720-7201
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USDA SCHEDULES PUBLIC MEETING ON TRUST PROVISIONS OF THE PACKERS AND STOCKYARDS ACT

WASHINGTON, October 21, 2010- USDA's Grain, Inspection, Packers and Stockyards Administration (GIPSA) will hold a public meeting on Wednesday, October 27, in Fargo, ND, to inform cattle producers who have done business with North American Bison Cooperative LLC, doing business as North Dakota Natural Beef, of their rights under the trust and bond provisions of the Packers and Stockyards (P&S) Act.

North Dakota Natural Beef ceased purchasing livestock for its slaughtering operations on Thursday, October 11, 2010 at its packing plant in New Rockford, North Dakota.

At the public meeting, GIPSA will provide information and the forms necessary for filing a claim under the trust provisions of the P&S Act and for filing a bond claim on payments due from North Dakota Natural Beef. GIPSA also will accept claims submitted at the meeting. Trust claims generally must be filed within 30 days from the date payment was due in a cash sale. Bond claims must be filed within 60 days from the date of the transaction on which the claim is based.

October 27, 2010
7 p.m. - 9 p.m.
Radisson Hotel
201 5th Street, N
Fargo, North Dakota

If you are hearing or visually impaired, or have a condition that requires special assistance, please notify Jay Johnson, Midwestern Regional Office, GIPSA Packers and Stockyards Program, United States Department of Agriculture, 210 Walnut Street, Des Moines, Iowa 50309-2110; e-mail Jay.A.Johnson@usda.gov; phone (515) 323-2579; or fax (515) 323-2590.

Dana Stewart (202) 720-5091.



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News Release

Release No.: 87-10

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

Sam D. Holder, aka Bill Holder, and Mark K. Holder, dba Trousdale County Livestock Market are Assessed a Civil Penalty in the Amount of \$5,000

WASHINGTON, Oct. 21, 2010 - On October 7, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Sam D. Holder, also known as Bill Holder, and Mark K. Holder (respondents) doing business as Trousdale County Livestock Market, Hartsville, Tennessee.

Respondents have been ordered to cease and desist from:

- failing to deposit into their custodial account, in a timely fashion, amounts equal to the proceeds receivable from the sale of consigned livestock; and
- failing to properly maintain their custodial account for shippers' proceeds in strict conformity with the Packers and Stockyards (P&S) Act and Regulations.

Respondents have been assessed a civil penalty in the amount 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.: 86-10

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles Two Cases Resulting in \$23,000 in Civil Penalties

WASHINGTON, Oct. 21, 2010 - 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 recently settled two cases resulting in \$23,000 in civil penalties.

Sarah Hirsch, Agri Star Meat & Poultry LLC, Postville, Iowa, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$12,000 after GIPSA found that they were operating without a financial instrument and failed to furnish written contracts to poultry growers.

T. J. Russell, President, Cloverdale Foods Company, Minot, North Dakota, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$10,000 after GIPSA found that they used an inaccurate scale.

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.: 93-10

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles Three Cases Resulting in \$8,450 in Civil Penalties

WASHINGTON, Nov. 4, 2010 - 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 recently settled three cases resulting in \$8,450 in civil penalties.

Jerry Stokes, Garrison, Texas, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,700 after GIPSA found that he failed to pay when due and was operating without a financial instrument.

Bryan T. Smith, Bar S Cattle Company, LLC, Direct Cattle Company, LLC, Rigby, Idaho, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$5,000 after GIPSA found that they failed to pay when due for livestock.

R&K Real Estate, Inc., doing business as Gallatin Livestock Auction, Gallatin, Missouri, waived its right to a hearing, entered into a stipulation agreement, and paid a penalty of \$750 after GIPSA found that it was operating with custodial account shortages and misused its custodial account.

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.: 92-10

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Den-Franco Corporation, aka Chiappetti Lamb & Veal and Dennis Chiappetti Violated the Packers and Stockyards Act

WASHINGTON, Nov. 4, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Den-Franco Corporation (Den-Franco), also known as Chiappetti Lamb & Veal and Dennis Chiappetti, Mokena, Illinois:

- entered into veal contracts with producers in which they agreed to pay a guaranteed minimum price per head, and subsequently failed to honor the guaranteed minimum price;
- failed to pay for livestock within the time period required by the Packers and Stockyards (P&S) Act; and
- delayed the contracted delivery dates and payment for calves in connection with veal contracts they entered into.

GIPSA filed a complaint against Den-Franco and Dennis Chiappetti on November 2, 2010. If the allegations are admitted, or proven in an oral hearing, Den-Franco and Dennis Chiappetti may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Den-Franco was engaged in the business of buying and selling livestock in commerce for the purpose of slaughter and is a packer.

Dennis Chiappetti was president; 100% owner; a packer; and responsible for the management, direction, and control of Den-Franco.

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.: 90-10

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

GIPSA Alleges B&B Livestock Company, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Nov. 4, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that B&B Livestock Company, Inc. (B&B Livestock), Danville, Ohio, purchased livestock and failed to pay the full purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against B&B Livestock on October 26, 2010. If the allegations are admitted, or proven in an oral hearing, B&B Livestock may be ordered to cease and desist from violating the P&S Act, suspended and assessed a civil penalty.

B&B Livestock engaged in the business of a dealer buying and selling livestock in commerce and is registered with the Secretary of Agriculture.

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.: 91-10

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Alleges Apna Bazaar International, Inc., dba Ali Meat Industries Violated the Packers and Stockyards Act

WASHINGTON, Nov. 4, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Apna Bazaar International, Inc. (Apna), doing business as Ali Meat Industries, Orlando, Florida, purchased livestock and did not pay in a timely fashion the full purchase price for livestock.

GIPSA filed a complaint against Apna on October 21, 2010. If the allegations are admitted, or proven in an oral hearing, Apna may be ordered to cease and desist from violating the P&S Act and assessed a civil penalty.

Apna was engaged in the business of buying livestock in commerce for slaughter and is a packer that filed a bond with GIPSA to secure its purchases of livestock.

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.: 94-10

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles a Case Resulting in a \$2,600 Civil Penalty

WASHINGTON, Nov. 10, 2010 - 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 recently settled a case resulting in a \$2,600 civil penalty.

Badr Halal Meat, LLC, Salah Abdalla, Partner, Hassan Boukhari, Partner, Brighton, Tennessee, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,600 after GIPSA found that they failed to pay when due for livestock.

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.: 96-10

Contact:
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USDA Announces Latest Actions in the Eastern Livestock Company Failure

WASHINGTON, Nov. 22, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) on Friday November 19, 2010, filed an administrative complaint charging Eastern Livestock Company, LLC, and Tommy P. Gibson of New Albany, Indiana, with:

- failure to pay for livestock purchases;
- failure to pay timely for livestock purchases; and
- failure to maintain an adequate bond.

Eastern Livestock Company (Eastern) is one of the largest cattle brokerage companies in the United States, with operations in 11 states across the Mid-South, Midwest, and West.

"We take very seriously our responsibility to ensure that producers receive all protections afforded them by law and we will be working closely with the Department of Justice and law enforcement officials in the weeks and months ahead," said John Ferrell, Deputy Under Secretary for Marketing and Regulatory Programs.

GIPSA currently estimates that Eastern owes more than \$130 million to 743 sellers in 30 states. As of today, the agency has documented \$81 million in returned checks and is currently onsite at Eastern's headquarters assessing the situation, investigating possible violations of the Packers and Stockyards Act, and working to ensure that all available protections are afforded to producers.

Outline of events:

- On November 3, 2010, a livestock seller complained to GIPSA that a payment check received for livestock sold to Eastern had been returned due to insufficient funds.
-
- On November 4, 2010, GIPSA deployed investigators to Eastern's headquarters to investigate the original and subsequent complaints of failure to pay for livestock. GIPSA also began deploying rapid response teams to markets nationwide that could be impacted by Eastern's financial failure. The Agency also began issuing letters to unpaid sellers encouraging affected producers to submit bond claims. As of November 17, 2010, GIPSA issued 743 letters.
- On November 9, 2010, USDA issued a news release, Bond Information for Producers Who Sold Livestock to Eastern Livestock Company, LLC, explaining the situation and providing information on how to file bond claims under the Packers and Stockyards Act.
- On November 9, 2010, Fifth Third Bank filed a motion with the Hamilton County Court of Common Pleas in Ohio requesting issuance of a temporary restraining order and the appointment of a receiver. The court appointed Elizabeth M. Lynch, of Development Specialists Inc., of Cleveland, Ohio, as receiver to work on behalf of Eastern's creditors, among which Fifth Third Bank is the secured creditor. The court also granted a temporary restraining order enjoining Eastern's access to and dissipation of its financial assets.
- On November 10, 2010, Capital Indemnity Corporation served notice on Eastern cancelling Eastern's surety bond for \$875,000 effective December 30, 2010.

The receiver will be working to ensure that the secured creditor is paid. After the secured creditor, the bank, is paid the unsecured creditors, including livestock sellers, will be paid out of remaining funds. The receiver is authorized to take immediate possession, control, management, and charge of Eastern Livestock's accounting books and records of whatever nature and wherever located, in the possession of Eastern Livestock or any other person or entity, including all information regarding the assets, liabilities, equity, income, and expenses of Eastern Livestock.

Purchasers of livestock and others affected by this incident who are unsure to whom to make payment for livestock purchases need to carefully consider their options in light of the applicable state and federal laws.

Unpaid sellers may contact GIPSA at 515-323-2579 for information on filing bond claims.

Contact:
USDA Office of Communications
(202) 720-4623
USDA.



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News Release

Release No.: 100-10

Contact:
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Catherine.M.Grasso@usda.gov

New Wilmington Livestock Auction, Inc. and Thomas R. Skelton Are Assessed a Civil Penalty in the Amount of \$3,500

WASHINGTON, Dec. 9, 2010 - On November 26, 2010, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with New Wilmington Livestock Auction, Inc. (New Wilmington) and Thomas R. Skelton (Skelton), Canfield, Ohio.

New Wilmington and Skelton have been ordered to cease and desist from failing to have their scales tested at six-month intervals.

They have also been assessed a civil penalty in the amount of \$3,500.

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.: 97-10

Contact:
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GIPSA Settles Cases Resulting in \$18,850 in Civil Penalties

WASHINGTON, Dec. 9, 2010 - 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 recently settled cases resulting in \$18,850 in civil penalties.

Leo Lidgett, doing business as Central Iowa Hog Marketing, Bronson, Iowa, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,600 after GIPSA found that he was operating as an unregistered entity selling on commission. Also, he was collecting selling on commission and buying on commission checks on the same transactions - a deceptive practice.

Murphy Brown, LLC, Warsaw, North Carolina, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,250 after GIPSA found that he failed to fully comply with contract language mandated in Sections 208 and 209 of the P&S Act.

E.G. & Perry Huffman, doing business as Huffman Bros. or Huffman Livestock, also known as E.G. Huffman and P.J. Huffman, doing business as Huffman Brothers and Huffman Livestock, Lexington, Virginia, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$7,500 after GIPSA found that they failed to pay, when due, for livestock.

Farmland Foods, Inc., Kansas City, Missouri, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,000 after GIPSA found that they failed to include proper choice of law and venue in contract and failed to disclose and provide an option to decline arbitration in contract.

Newkirk Farmers-Ranchers Livestock Auction, LLC, Newkirk, Oklahoma, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,500 after GIPSA found that they had a custodial account shortage.

4C Livestock, Inc., doing business as Coryell County Commission Co., Gatesville, Texas, waived their right to a hearing, entered into a stipulation agreement, and paid a penalty of \$2,000 after GIPSA found that they had shortages in their custodial account for shippers' proceeds; and misused custodial funds on 11 sale dates by failing to properly reimburse the custodial account for livestock purchases by the market and its owners, officers, and their dependent children.

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.: 98-10

Contact:
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GIPSA Alleges Michael R. Norris, dba Broken Arrow Cattle Company Violated the Packers and Stockyards Act

WASHINGTON, Dec. 9, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Michael R. Norris (Norris), doing business as Broken Arrow Cattle Company, Unionville, Missouri, operated as a market agency without maintaining an adequate bond as required by the Packers and Stockyards (P&S) Act and regulations.

GIPSA filed a complaint against Norris November 29, 2010. If the allegations are admitted, or proven in an oral hearing, Norris may be ordered to cease and desist from violating the P&S Act, suspended and assessed a civil penalty.

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

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,
Packers and
Stockyards Administration
STOP 3601
1400 Independence Ave., SW
Washington, D.C. 20250-3601
Web: www.gipsa.usda.gov

News Release

Release No.: 99-10

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Eddie Bennett, dba Preferred Livestock Violated the Packers and Stockyards Act

WASHINGTON, Dec. 9, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Eddie Bennett (Bennett), doing business as Preferred Livestock:

- failed to pay for the full purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act; and
- failed to pay for livestock purchased.

GIPSA filed a complaint against Bennett November 29, 2010. If the allegations are admitted, or proven in an oral hearing, Bennett may be ordered to cease and desist from violating the P&S Act, suspended and assessed a civil penalty.

Bennett 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.: 101-10

Contact:
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GIPSA Alleges Brad Bradley, dba Farm Direct Pork Company, Violated the Packers and Stockyards Act

WASHINGTON, Dec. 16, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Brad Bradley (Bradley), doing business as Farm Direct Pork Company, Del Rio, Texas:

- operated subject to the Packers and Stockyards (P&S) Act without being registered and maintaining a bond;
- purchased livestock and did not pay the full purchase price for livestock; and
- as of the date of this complaint \$187,199.75 remains unpaid to the sellers.
- GIPSA filed a complaint against Bradley on October 10, 2010. If the allegations are admitted, or proven in an oral hearing, Bradley may be ordered to cease and desist from violating the P&S Act, suspended and assessed a civil penalty.

Bradley engaged in the business of a dealer buying and selling livestock in commerce.

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.: 102-10

Contact:
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GIPSA Settles Cases Resulting in \$9,610 in Civil Penalties

WASHINGTON, Dec. 21, 2010 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (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 recently settled cases resulting in \$9,610 in civil penalties.

Greg Wersal, dba Wersal Cattle, Morgan Minnesota, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$3,150 after GIPSA found that he engaged in unfair and deceptive practices.

Bryan Bogie, Bryan Bogie Livestock, Inc., Paint Lick, Kentucky, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$1,500 after GIPSA found that he failed to pay when due.

Eugene Barber & Sons, Inc, Lexington, Kentucky, waived his right to a hearing, entered into a stipulation agreement, and paid a penalty of \$4,960 after GIPSA found that he failed to pay before the close of the next business on 17 payment transactions between January 6, 2010 and March 22, 2010.

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..

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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.