

News Release Archive

2013

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FEDERAL GRAIN INSPECTION SERVICE

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News Release

Release No.: 01-13

Contact:
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Southern Colorado Livestock Auction, Inc. and John R. Malouff, Jr. Have Been Assessed a \$1,000 Civil Penalty

WASHINGTON, Jan. 14, 2013 – On December 14, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Southern Colorado Livestock Auction, Inc. (Southern Colorado), and John R. Malouff, Jr. (Malouff), Monte Vista, Colo.

Southern Colorado and Malouff have been ordered to cease and desist from:

- failing to properly maintain their custodial account for shippers' proceeds;
- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit and available in the accounts upon which they are drawn to pay these checks when presented;
- failing to maintain and operate scales to ensure accurate weights;
- failing to have their scales used for the purchase, sale, acquisition, payment, or settlement of livestock or live poultry tested by competent persons at least twice during each calendar year; and
- failing to retain a copy of each report of tests and inspections of their scales used for the purchase, sale, acquisition, payment, or settlement of livestock or live poultry and failing to submit a copy of each such report to the Packers and Stockyards Program's Western Regional Office.

They have also been assessed a civil penalty in the amount of \$1,000 and are suspended for two weeks and thereafter until shortages are corrected.

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.: 02-13

Contact:
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Golden West Cattle Co., LLC and Michael Kastner Have Been Assessed a \$10,500 Civil Penalty

WASHINGTON, Jan. 14, 2013 – On December 18, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision with Golden West Cattle Co., LLC (Golden West) and Michael Kastner (Kastner), Teaneck, N.J.

Golden West and Kastner have been ordered to cease and desist from:

- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit and available in the bank account upon which checks are drawn to pay these checks when presented; and
- failing to pay, when due, the full purchase price of livestock.

They have also been assessed a civil penalty in the amount of \$10,500.

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.: 03-13

Contact:
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GIPSA Alleges Central Beef Industries, LLC and Marshall M. Chernin Violated the Packers and Stockyards Act

WASHINGTON, Jan. 14, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Central Beef Industries, LLC (Central Beef) and Marshall M. Chernin (Chernin), Center Hill, Fla., purchased livestock in commerce and failed to pay, when due, the full purchase price for the livestock purchases.

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

Central Beef was engaged in the business of buying livestock in commerce for the purpose of slaughter and a packer subject to the provisions of the P&S Act.

Chernin was a 55% owner and responsible for the direction, management, and control of Central Beef including the acts and practices alleged in this complaint to be in violation of the P&S Act and regulations; engaged in the business of buying livestock in commerce for the purpose of slaughter; and a packer 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.: 04-13

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GIPSA Alleges Well Bred Farms, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Jan. 14, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Well Bred Farms, Inc., Mt. Pleasant, Pa., purchased poultry and failed to pay, when due, the full purchase price for poultry purchased.

GIPSA filed a complaint against Well Bred Farms, Inc. on December 6, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Well Bred Farms, Inc. may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Well Bred Farms, Inc. was engaged in business as a live poultry dealer. The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.



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News Release

Release No.: 05-13

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GIPSA Alleges Josephine E. Bonaccurso, Inc., d/b/a Salem Packing Company, and Samuel Bonaccurso Violated the Packers and Stockyards Act

WASHINGTON, Jan. 14, 2013 -- The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Josephine E. Bonaccurso, Inc., doing business as Salem Packing Company, and Samuel Bonaccurso, Salem, N.J.:

- failed to pay, when due, the full price for livestock purchases; and
- purchased livestock and paid the livestock sellers with non-certified checks.

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

Josephine E. Bonaccurso, Inc. (Salem Packing Company) and Samuel Bonaccurso were engaged in the business of operating the Salem Packing Company and engaged in the business of buying livestock in commerce for the purpose of slaughter and the manufacturing and preparation of meats and meat food products for sale and shipment in commerce. They were engaged in the business as a packer.

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



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News Release

Release No.: 06-13

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GIPSA Settles a Case with Billy M. Boyd, President, Farmers Livestock Marketing A.A.J. Resulting in a \$2,000 Penalty

WASHINGTON, Jan. 14, 2013 – 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.

Billy M. Boyd, President, Farmers Livestock Marketing, A.A.J., Carthage, Miss. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that a key employee was buying out of consignments.

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.: 07-13

Contact:
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GIPSA Settles a Case with Patton Junction Livestock Auction, Inc., Done E. Fahrni, Allan Wayne Sharrock & Harold Sharrock Resulting in a \$2,750 Penalty

WASHINGTON, Jan. 14, 2013 – 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.

Patton Junction, Inc., Done E. Fahrni, Allan Wayne Sharrock & Harold Sharrock, Patton, Mo. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,750 after GIPSA found that they operated with a shortage in their custodial account and misused their custodial account.

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



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GIPSA Settles a Case with Lynn Burkhalter and Lynn Burkhalter Cattle Company, Inc. Resulting in a \$500 Penalty

WASHINGTON, Jan. 14, 2013 – 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.

Lynn Burkhalter and Lynn Burkhalter Cattle Company, Inc., Springtown, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that they failed to pay within the time period required by the P&S Act for livestock purchased on a dealer 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.: 09-13

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GIPSA Settles a Case with Terry Carr and Fannin County Livestock Auction, LLC, Resulting in a \$500 Penalty

WASHINGTON, Jan. 14, 2013 – 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.

Terry Carr and Fannin County Livestock, Bonham, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that they failed a livestock checkweigh on June 18, 2012, after Packers and Stockyard Program issued a Notice of Violation for a earlier failed livestock checkweigh conducted on February 27, 2012. Twenty percent of the weighments of June 18, 2012, exceeded the applicable tolerance.

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News Release

Release No.: 10-13

Contact:
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VILSACK NAMES GRAIN INSPECTION ADVISORY COMMITTEE MEMBERS

WASHINGTON, Jan. 16, 2013 -- On November 26, 2012, Agriculture Secretary Thomas J. Vilsack announced the appointment of four members to serve on the United States Department of Agriculture's (USDA) Grain Inspection Advisory Committee. The appointees will serve a 3-year term.

"I am pleased that these individuals have agreed to serve on the Grain Inspection Advisory Committee," said Vilsack. "They bring a great deal of knowledge and experience to this committee."

The new members are: Janice Cooper, executive director, California Wheat Commission, Woodland, Calif.; Walter McAninch, owner/operator, Tonkawa, Okla.; Arvid Hawk, president, Global Agricultural Consulting, LCC, Eden Prairie, Minn.; and Maria Reinitz, manager, Gavilon, LLC, Omaha, Neb.

The Grain Inspection Advisory Committee is comprised of 15 members appointed by the Secretary of Agriculture who represent all facets of the grain industry. The Grain Inspection Advisory Committee meets twice annually to advise USDA on the establishment of programs and services under the United States Grain Standards Act.



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News Release

Release No.: 11-13

Contact:
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GIPSA Alleges Tony E. Lyon d/b/a Lyon Farms Violated the Packers and Stockyards Act

WASHINGTON, Jan. 17, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Tony E. Lyon, doing business as Lyon Farms (Lyon), Perrin, Texas:

- purchased livestock and failed to pay, when due, the full purchase price for the livestock purchases;
- issued checks in payment for livestock purchases without having sufficient funds on deposit to pay them when presented; and
- bought and sold livestock without being registered with the Secretary of Agriculture and without maintaining a bond or bond equivalent.

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

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

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News Release

Release No.: 12-13

Contact:
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GIPSA Alleges Robin Olson, d/b/a American Cattle Services Violated the Packers and Stockyards Act

WASHINGTON, Jan. 17, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Robin Olson (Olson), d/b/a American Cattle Services, Wis.:

- bought and sold livestock in commerce without having and maintaining an adequate bond or bond equivalent;
- issued insufficient funds checks in payment for his livestock purchases;
- failed to pay, when due, the full amount of the livestock purchase price; and
- alleged to sell the livestock on a carcass weight basis and paid the livestock sellers based on his estimate of the carcass weight, when in fact he sold the livestock on a live weight basis.

GIPSA filed a complaint against Olson on December 12, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Olson may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty. Olson was engaged in the business of a dealer buying and selling livestock in commerce and is not registered with the Secretary of Agriculture.

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News Release

Release No.: 13-13

Contact:
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GIPSA Alleges Perkins Livestock, LLC and Robb Taylor Violated the Packers and Stockyards Act

WASHINGTON, Jan. 17, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Perkins Livestock, LLC (Perkins) and Robb Taylor (Taylor), Perkins, Okla.

- failed to properly use and maintain its custodial account;
- had custodial account shortages on May 26, 2011, in the amount of \$97,999.98;
- had custodial account shortages on October 6, 2011, in the amount of \$74,913.03; and
- these custodial account shortages were due, in part, to Taylor’s failure to reimburse the custodial account for his purchases and for livestock purchases made by buyers who had not paid by the close of the seventh business day following the sale of livestock.

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

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

Taylor was the sole member of Perkins; 100% owner of Perkins; a registered agent of Perkins; and responsible for the direction, management, and control of Perkins.

Taylor was also engaged in the business of conducting and operating Perkins and engaged in the business of a market agency selling livestock in commerce on a commission basis.

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News Release

Release No.: 14-13

Contact:
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Luke Kottke, d/b/a Kottke Cattle Company Has Been Assessed a \$32,000 Civil Penalty

WASHINGTON, Jan. 17, 2013 – On December 31, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Luke Kottke, doing business as Kottke Cattle Company, Wis.

Luke Kottke has been ordered to cease and desist from:

- failing to pay and failing to pay, when due, the full purchase price for livestock;
- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit and available in the accounts upon which they are drawn to pay these checks when presented;
- buying and selling livestock in commerce without being properly registered with GIPSA; and
- buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent.

Luke Kottke has been assessed a civil penalty in the amount of \$32,000.

He was also prohibited from registering for a period of 15 days from the date of this order and thereafter until he submits a complete application to GIPSA and demonstrates adequate bond coverage or a bond equivalent. If this is demonstrated, any application for registration that he files with GIPSA will be processed in accordance with standard GIPSA procedures.

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.: 15-13

Contact:
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Wilson Horse & Mule Sale, Inc. Has Been Assessed a \$4,000 Civil Penalty and Suspended

WASHINGTON, Jan. 17, 2013 – On January 2, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Wilson Horse & Mule (Wilson Horse & Mule) Sale, Inc., Cookeville, Tenn.

Wilson Horse & Mule has been ordered to cease and desist from:

- failing to deposit in its Custodial Account for Shippers' Proceeds within the times prescribed in the regulations amounts equal to the outstanding proceeds receivable due from the sale of consigned livestock;
- using funds received from the sale of consigned livestock for any purpose other than those specifically permitted; and
- failing to maintain its Custodial Account for Shippers' Proceeds in strict conformity with the regulations.

Wilson Horse & Mule has also been assessed a civil penalty in the amount of \$4,000, and ordered to serve a 14 day suspension of its operations, and thereafter until Wilson Horse & Mule demonstrates to GIPSA that the Custodial Account for Shippers' Proceeds is currently in balance. The suspension became effective January 16, 2013.

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.: 16-13

Contact:
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GIPSA Settles a Case with George Sowell Resulting in a \$1,775 Penalty

WASHINGTON, Jan. 17, 2013 – 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.

George Sowell, Beebe, Ark. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,775 after GIPSA found that he failed to pay for livestock within the time period required by 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.: 17-13

Contact:
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GIPSA Alleges Atlantic Veal and Lamb, LLC, Atlantic Veal and Lamb, Inc., and Philip Peerless Violated the Packers and Stockyards Act

WASHINGTON, Jan. 24, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Atlantic Veal and Lamb, LLC of Ohio, doing business as Atlantic Veal and Lamb, Inc. (Atlantic Veal), of Delaware, with a business address of Brooklyn, N.Y., and Philip Peerless (Peerless), Brooklyn, N.Y., purchased livestock and failed to pay, when due, the full purchase price for livestock purchases.

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

Atlantic Veal, under the direction, management, and control of Peerless, was engaged in the business of buying livestock in commerce for the purpose of slaughter and manufacturing and preparing meats or meat food products for sale or shipment in commerce and is a packer.

Peerless was president, 50% owner of stock issued by Atlantic Veal, and responsible for the direction, management, and control of Atlantic Veal.

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



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News Release

Release No.: 18-13

Contact:
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GIPSA Alleges Tim Rowan Violated the Packers and Stockyards Act

WASHINGTON, Jan. 24, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Tim Rowan, New Albany, Miss.:

- issued checks in payment for livestock purchases which were returned unpaid; and
- purchased livestock and failed to pay, when due, the full purchase price for livestock purchases.

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

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

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News Release

Release No.: 19-13

Contact:
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Daryl Bowman and Daryl Bowman Livestock, Inc. Has Been Assessed a \$5,000 Civil Penalty

WASHINGTON, Jan. 24, 2013 – On January 9, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Daryl Bowman and Daryl Bowman Livestock, Inc. (Daryl Bowman), of Woodstock, Va. Daryl Bowman has been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock.

Daryl Bowman has 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.: 20-13

Contact:
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Clint Sicking, d/b/a Flying C Cattle Company Has Been Assessed a \$65,000 Civil Penalty

WASHINGTON, Jan. 24, 2013 – On January 11, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Clint Sicking, doing business as Flying C Cattle Company, of Texas.

Clint Sicking has been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required without filing and maintaining an adequate bond or its equivalent and without first becoming properly registered under the Packers and Stockyards (P&S) Act;
- issuing checks for payment of livestock purchases without having and maintaining sufficient funds on deposit;
- failing to pay, when due, the full purchase price for livestock; and
- failing to pay the full purchase price for livestock purchases.

Clint Sicking is prohibited from being registered to engage in any activities for which registration is required under the P&S Act for a period of five years. However, any time after the expiration of the initial 30 days of this prohibition period, upon application to the Packers and Stockyards Program (P&SP), a supplemental order may be issued terminating the registration prohibition and permitting Clint Sicking's registration under the P&S Act if he demonstrates to the satisfaction of P&SP that Mallicote, Inc., doing business as Cattleman's Livestock Commission Co. has been paid, in full, \$59,363.22, and submits an adequate bond or bond equivalent to P&SP.

Clint Sicking has been assessed a civil penalty in the amount of \$65,000.

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News Release

Release No.: 21-13

Contact:
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Curtis Malone Has Been Assessed a \$1,000 Civil Penalty

WASHINGTON, Jan. 24, 2013 – On November 19, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Curtis Malone, of Texas.

Curtis Malone has been assessed a civil penalty in the amount of \$1,000, which will be held in abeyance for one year, provided he maintains the necessary bond requirements for a market agency buying livestock in commerce on a commission basis. After one year, if Curtis Malone has maintained compliance with the necessary bond requirement and remains in compliance with the necessary bond requirement, the total amount will be reduced to zero dollars.

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News Release

Release No.: 22-13

Contact:
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Terry Dustin Matthews, d/b/a Moo Moo's Cattle Co., Has Been Assessed an \$8,100 Civil Penalty

WASHINGTON, Jan. 24, 2013 – On November 6, 2012, the U.S. Department of Agriculture issued a default decision against Terry Dustin Matthews (Matthews), doing business as Moo Moo's Cattle Co., McKenzie, Ala., which became final and effective on January 14, 2013. Matthews has been ordered to cease and desist from:

- failing to pay, when due, for livestock purchases; and
- issuing checks with insufficient funds in payment for livestock purchases.

Matthews's application for registration as a dealer has been denied. He has also been assessed an \$8,100 civil penalty.

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News Release

Release No.: 23-13

Contact:
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Jeremy Emerson Has Been Ordered to Cease and Desist

WASHINGTON, Jan. 24, 2013 – On October 25, 2012, the U.S. Department of Agriculture issued a default decision against Jeremy Emerson, Checotah, Okla., which became final and effective on January 1, 2013.

Jeremy Emerson has been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act and regulations without first becoming properly registered and without filing and maintaining an adequate bond or its equivalent;
- failing to pay the full amount for the purchase of livestock before the close of the next business day following each purchase of livestock; and
- failing to maintain sufficient funds on deposit and available in the account upon which payment checks were drawn when presented.

Jeremy Emerson is prohibited from registering for a period of five years, however, at any time after 180 days from the effective date of this order, upon application to the Packers & Stockyards Program, a supplemental order may be issued permitting him to register if he demonstrates that all unpaid livestock sellers have been paid in full or that all unpaid livestock sellers have approved a plan for restitution, and that he has bond coverage acceptable to Grain Inspection, Packers and Stockyards Administration.

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News Release

Release No.: 24-13

Contact:
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GIPSA Settles a Case with Allison Cattle Co., LLC, and Harold B. Allison, d/b/a Allison Cattle Co. and H.B. Cattle Co. Resulting in a \$2,450 Penalty

WASHINGTON, Jan. 24, 2013 – 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.

Allison Cattle Co., LLC and Harold B. Allison, doing business as Allison Cattle Co. and H.B. Cattle Co., Morrilton, Ark. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,450 after GIPSA found that they failed to pay for livestock within the time period required by the P&S Act.

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News Release

Release No.: 25-13

Contact:
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GIPSA Alleges Abe Cuesta, aka Abram Cuesta, dba Quality Cattle Violated the Packers and Stockyards Act

WASHINGTON, Jan. 31, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Abe Cuesta, also known as Abram Cuesta (Cuesta), doing business as Quality Cattle, Tampa, Fla.:

- failed to maintain funds on deposit and available in the account that checks were drawn to pay the checks for livestock purchases when presented; and
- failed to pay, when due, the full amount for livestock purchases.

GIPSA filed a complaint against Cuesta on July 17, 2012, which was not officially served on Cuesta until December 26, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Cuesta may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

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

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News Release

Release No.: 26-13

Contact:
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Anderson Livestock Auction Co. and Jerry Anderson Have Been Assessed a \$3,500 Civil Penalty

WASHINGTON, Jan. 31, 2013 – On January 18, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Anderson Livestock Auction Co. (Anderson Livestock), and Jerry Anderson, Willard, Utah.

Anderson Livestock and Jerry Anderson have been ordered to cease and desist from failing to maintain its Custodial Account for Shippers' Proceeds in strict conformity with the regulations.

Anderson Livestock and Jerry Anderson 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.: 27-13

Contact:
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Nathan Lewis Has Been Assessed a \$7,500 Civil Penalty

WASHINGTON, Jan. 31, 2013 – On January 9, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Nathan Lewis, Denair, Calif.

Nathan Lewis has been ordered to cease and desist from failing to pay the full amount for livestock purchases before the close of the next business day following each purchase of livestock.

Nathan Lewis has been assessed a civil penalty in the amount of \$7,500.

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News Release

Release No.: 28-13

Contact:
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California All Natural, LLC and Nathan Lewis Have Been Ordered to Cease and Desist

WASHINGTON, Jan. 31, 2013 – On September 5, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with California All Natural, LLC and Nathan Lewis, Modesto, Calif.

California All Natural, LLC and Nathan Lewis have been ordered to cease and desist from making payment on false weights for livestock purchased on a hot carcass weight basis.

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.: 29-13

Contact:
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GIPSA Settles a Case with Eugene Nicholas, d/b/a Nicholas Livestock Resulting in a \$1,850 Penalty

WASHINGTON, Jan. 31, 2013 – 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.

Eugene Nicholas, d/b/a Nicholas Livestock, Loganton, Pa. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,850 after GIPSA found that he failed to pay for livestock within the time period required by the P&S Act.

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News Release

Release No.: 30-13

Contact:
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GIPSA Alleges Benjamin W. Dunlap, a/k/a Ben Dunlap, d/b/a Ben Dunlap Livestock, d/b/a Dunlap Cattle and Farms, and d/b/a Phat Buzzard Cattle Co. Violated the Packers and Stockyards Act

WASHINGTON, Feb. 7, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Benjamin W. Dunlap, also known as Ben Dunlap, doing business as Ben Dunlap Livestock, doing business as Dunlap Cattle and Farms, and doing business as Phat Buzzard Cattle Co., Bear Creek, N.C.

- purchased livestock and failed to pay, when due, the full purchase price for the livestock purchases; and
- as of the date of this complaint, failed to pay approximately \$83,659.02 for livestock purchases.

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

Benjamin W. Dunlap was engaged in the business of a dealer buying and selling livestock in commerce; a dealer subject to the provisions of the P&S Act; 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.: 31-13

Contact:
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GIPSA Alleges Cambridge Valley Livestock Market, Inc. Violated the Packers and Stockyards Act

WASHINGTON, Feb. 7, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Cambridge Valley Livestock Market, Inc. (Cambridge Valley), Cambridge, N.Y.:

- operated with a shortage in their custodial account due, in part, to Cambridge Valley’s failure to deposit in the custodial account, within the time prescribed by the Regulations, an amount equal to the proceeds receivable for sales of consigned livestock;
- misused the custodial account by permitting the withdrawal of bank charges from the custodial account and by using custodial account funds to pay a utility bill and an Internal Revenue Service tax levy and processing fee;
- had outstanding checks drawn on their custodial account on January 11, 2011, and March 18, 2011, without having sufficient funds to cover the checks creating custodial account shortages;
- failed to remit, when due, the net proceeds due to the consignors from the sale of their livestock on a commission basis; and
- failed to keep and maintain records which fully and correctly disclosed all transactions involved in their business.

GIPSA filed a complaint against Cambridge Valley on January 18, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Cambridge Valley may be ordered to cease and desist from violating the Packers Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Cambridge Valley was engaged in the business of conducting and operating Cambridge Valley, a posted stockyard subject to the provisions of the P&S Act; engaged in the business of a market agency selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

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



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News Release

Release No.: 32-13

Contact:
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GIPSA Alleges Randy R. Wientjes, d/b/a Brookport Cattle Company Violated the Packers and Stockyards Act

WASHINGTON, Feb. 7, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Randy R. Wientjes (Wientjes), doing business as Brookport Cattle Company, Metropolis, Ill., purchased livestock and failed to pay, when due, for the livestock purchases. As of March 26, 2012, Wientjes owed approximately \$334,766.66 to the livestock sellers of livestock purchases.

GIPSA filed a complaint against Wientjes on January 9, 2013. The complaint may be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Wientjes may be ordered to cease and desist from violating the Packers Stockyards (P&S) Act, suspended, and assessed a civil penalty.

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

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



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News Release

Release No.: 33-13

Contact:
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Well Bred Farms, Inc. Has Been Assessed a \$2,000 Civil Penalty

WASHINGTON, Feb. 7, 2013 – On January 25, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Well Bred Farms, Inc., Mt. Pleasant, Pa.

Well Bred Farms, Inc. has been ordered to cease and desist from:

- failing to pay live poultry dealers for their purchases, in cash, by the close of the next business day; and
- failing to pay live poultry dealers obtaining live poultry under a poultry growing arrangement before the close of the 15th day following the week in which the poultry is slaughtered, delivered, to the cash seller or poultry grower from whom a live poultry dealer obtains poultry, the full amount due to such cash seller or poultry grower on account of such poultry.

Well Bred Farms, Inc. has also been assessed a civil penalty in the amount of \$2,000.

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.: 34-13

Contact:
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Stephen Conley Has Been Ordered to Cease and Desist and is Suspended

WASHINGTON, Feb. 7, 2013 – On October 17, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Stephen Conley, Cooper, Texas.

Stephen Conley has been ordered to cease and desist from:

- failing to pay and failing to pay, when due, the full purchase price for livestock; and
- from operating as a dealer subject to the Packers and Stockyards (P&S) Act without maintaining an adequate bond or bond equivalent.

The consent decision suspended Stephen Conley as a registrant for five years and ordered him to keep records that fully and correctly disclose all transactions involved in his business.

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.: 35-13

Contact:
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G&G Cattle Co., Inc., Kenneth Garrett and Tim Garrett Have Been Assessed a \$2,500 Civil Penalty

WASHINGTON, Feb. 7, 2013 – On December 3, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with G&G Cattle Co., Inc.(G&G), Kenneth Garrett and Tim Garrett, Chireno, Texas.

G&G, Kenneth and Tim Garrett have been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock.

They have also been assessed a \$2,500 civil penalty.

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



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News Release

Release No.: 37-13

Contact:
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GIPSA Alleges John Michael Loy, d/b/a Loy's Sale Barn Violated the Packers and Stockyards Act

WASHINGTON, March 6, 2013 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that John Michael Loy (John Loy) and Donald Loy doing business as Loy's Sale Barn, Portland, Ind.:

- On March 31, 2011, May 31, 2011, July 30, 2010, August 31, 2010, and September 30, 2010, John and Donald Loy failed to properly use and maintain its custodial account endangering the faithful and prompt accounting of shippers' proceeds and the payments due the owners or consignors of livestock in that they:
- had outstanding checks drawn and had to offset the checks resulting in custodial account shortages;
- failed to deposit an amount equal to the proceeds receivable from the sale of consigned livestock and to the amount withdrawn by the bank for fees/charges into their custodial account; and
- failed to keep and maintain records which fully and correctly disclosed all transactions involved in their business.

GIPSA filed a complaint against John Loy on February 15, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, John Loy may be ordered to cease and desist from violating the Packers Stockyards (P&S) Act, suspended, and assessed a civil penalty.

John and Donald Loy were engaged in the business of conducting and operating Loy's Sale Barn, a posted stockyard subject to the provisions of the P&S Act; engaged in the business of a dealer buying and selling livestock in commerce on a commission basis; and are registered with the Secretary of Agriculture.

John Loy was 50% owner of Loy's Sale Barn and in conjunction with Donald Loy responsible for the direction, management, and control of Loy's Sale Barn.

Donald Loy died on March 3, 2012.

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.: 38-13

Contact:
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GIPSA Alleges Ocala Livestock Market, Inc., Michael Yeomans, a/k/a Tony Yeomans and Tobitha Yeomans Violated the Packers and Stockyards Act

WASHINGTON, Feb. 15, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ocala Livestock Market, Inc. (Ocala Livestock), Michael Yeomans, also known as Tony Yeomans, and Tobitha Yeomans, Lowell, Fla.:

- failed to properly use and maintain its custodial account between June 8, 2012, and August 14, 2012, endangering the faithful and prompt accounting of shippers’ proceeds and the payments due the owners or consignors of livestock in that they had outstanding checks drawn on their custodial account on June 8, 2012, July 25, 2012, and August 14, 2012, without having sufficient funds to cover the checks, creating custodial account shortages;
- misused its custodial account on June 8, 2012, by using custodial account funds to obtain a bond required by the P&S Act;
- issued a check for the payment of livestock without having sufficient funds on deposit and available in the account upon which the check was drawn to pay the check when presented; and
- failed to remit, when due, the net proceeds due to consignors from the sale of livestock on a commission basis.

GIPSA filed a complaint against Ocala Livestock and, Michael and Tobitha Yeomans on January 8, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Ocala Livestock and, Michael and Tobitha Yeomans may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Ocala Livestock under the direction, management, and control of Michael and Tobitha Yeomans was engaged in the business of conducting and operating Ocala Livestock, a posted stockyard subject to the provisions of the P&S Act; engaged in the business of a market agency selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

Michael Yeomans was president, secretary, and 50% owner of Ocala Livestock and with Tobitha Yeomans was responsible for the direction, management, and control of Ocala Livestock, engaged in the business of conducting and operating Ocala Livestock, a posted stockyard subject to the provisions of the P& Act, and engaged in the business of a market agency selling livestock in commerce on a commission basis.

Tobitha Yeomans was vice-president, treasurer, registered agent, and 50% owner of Ocala Livestock and with Michael Yeomans was responsible for the direction, management, and control of Ocala Livestock, engaged in the business of conducting and operating Ocala Livestock, a posted stockyard subject to the provisions of the P&S Act, and engaged in the business of a market agency selling livestock in commerce on a commission basis.

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News Release

Release No.: 39-13

Contact:
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GIPSA Alleges 3-State Stockyards, Inc., TW Cattle Co., LLC, Riverside Cattle Co., LLC, Thomas J. Witt, a/k/a Tom Witt, Brian J. Witt, And Robert J. Witt, a/k/a Bob Witt Violated the Packers and Stockyards Act

WASHINGTON, Feb. 15, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that 3-State Stockyards, Inc. (3-State), TW Cattle Co., LLC (TW Cattle), Riverside Cattle Co., LLC (Riverside), Thomas J. Witt (T. Witt), also known as Tom Witt, Brian J. Witt (B. Witt), and Robert J. Witt (R. Witt), also known as Bob Witt, Falls City, Neb., violated the Packers and Stockyards (P&S) Act.

3-State under the direction, management and control of T. Witt, B. Witt, and R. Witt generated purchase invoices with false data at the request and direction of Riverside, under the direction, management and control of B. Witt. The invoices, which were produced after livestock had been purchased by Riverside, under the direction, management and control of B. Witt at 3-State, a posted stockyard, listed purchase prices for livestock that were higher than the actual purchase prices. Riverside under the direction, management, and control of B. Witt then provided these invoices to its customers to whom it later transferred and sold the livestock. There were a total of four such instances between Riverside and 3-State.

On approximately 14 dates, in transactions involving 1,517 head of livestock, 3-State, under the direction, management, and control of T. Witt, B. Witt, and R. Witt generated purchase invoices with false data at the request and direction of TW Cattle, under the direction, management and control of T. Witt. The invoices, which were produced after the livestock had been purchased by TW Cattle, under the direction, management, and control of T. Witt at 3-State, listed prices process for livestock that were higher than the actual purchase prices. TW Cattle under the direction, management and control of T. Witt then provided these invoices to its customers to whom it later transferred and sold the livestock.

On approximately 18 dates, in transactions involving 2,124 head of livestock, the posted stockyards United Producers, Inc. and Russell Livestock Market generated purchase invoices with false data at the request and direction of TW Cattle, under the direction, management and control of T. Witt. The invoices, which were produced after the livestock had been purchased by TW Cattle, under the direction, management, and control of T. Witt, at United Producers, Inc. and Russell Livestock Market, listed purchase prices for livestock that were higher than the actual purchase prices. TW Cattle under the direction, management and control of T. Witt then provided these invoices to its customers to whom it later transferred and sold the livestock.

On approximately 11 dates, in transactions involving 1,671 head of livestock, Gallatin Livestock Auction, a posted stockyard, generated purchase invoices with false data at the request and direction of Riverside, under the direction, management and control of B. Witt. The invoices, which were produced after the livestock had been purchased by Riverside, under the direction, management, and control of B. Witt, at the Gallatin Livestock Auction, listed the purchase prices for livestock that were higher than the actual purchase prices. Riverside under the direction, management and control of B. Witt then provided these invoices to its customers to whom it later transferred and sold the livestock.

The respondents failed to keep and maintain accounts, records and memoranda that fully and correctly disclosed all transactions involved in their business.

GIPSA filed a complaint against 3-State, TW Cattle, Riverside, T. Witt, B. Witt, and R. Witt on January 8, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, 3-State, TW Cattle, Riverside, T. Witt, B. Witt, and R. Witt may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

3-State under the direction, management, and control of T. Witt, B. Witt, and R. Witt was engaged in the business of conducting and operating a posted stockyard; engaged in the business of a market agency selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

TW Cattle under the direction, management and control of T. Witt was engaged in the business of a dealer buying and selling livestock in commerce for its own account and the account of others; engaged in the business of a market agency buying livestock in commerce on a commission basis; is a dealer; a market agency; and is registered with the Secretary of Agriculture.

Riverside Cattle Co., LLC under the direction, management, and control of B. Witt was engaged in the business of a dealer buying and selling livestock in commerce for its own account and the account of others; engaged in the business of a market agency buying livestock in commerce on a commission basis; is a dealer; a market agency; and is registered with the Secretary of Agriculture.

T. Witt was sole member and manager of, and owner of 100% of the stock issued by TW Cattle; treasurer and owner of 33.3% of the stock issued by 3-State; and responsible for the direction, management, and control of TW Cattle and 3-State.

B. Witt was sole member, manager, and owner of 100% of the stock issued by Riverside; president and 33.3% owner of the stock issued by 3-State; and responsible for the direction, management, and control of Riverside and 3-State.

R. Witt was secretary and owner of 33.3% of the stock issued by 3-State; and responsible for the direction, management, and control of 3-State.

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.: 40-13

Contact:
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Billy Tackett Has Been Assessed a \$2,500 Civil Penalty

WASHINGTON, Feb. 15, 2013 – On January 24, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Billy Tackett, Collinsville, Okla.

Billy Tackett has been ordered to cease and desist from:

- buying and selling livestock without being properly registered with GIPSA; and
- buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent.

Billy Tackett has been assessed a \$2,500 civil penalty.

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



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News Release

Release No.: 41-13

Contact:
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JLA, LLC, d/b/a Marshall Livestock Auction, Carey Jones, and Martha Jones Have Been Assessed a \$33,000 Civil Penalty

WASHINGTON, Feb. 15, 2013 – On February 1, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with JLA, LLC, doing business as Marshall Livestock Auction, Carey Jones and Martha Jones, Marshall, Mo.

JLA, LLC, doing business as Marshall Livestock Auction, Carey and Martha Jones have been ordered to cease and desist from:

- failing maintain their Custodial Account for Shippers' Proceeds in conformity with the regulations;
- failing to deposit in their 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;
- using funds received from the sale of consigned livestock for the payment of bank fees, or for any purpose other than payment to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges; and
- manipulating the price of livestock by creating false auction market invoices for customers.

They have also been ordered to maintain accounts, records, and memoranda that fully and correctly disclose all transactions involved in their business including, but not limited to, accurate records of their original and final sales.

JLA, LLC, doing business as Marshall Livestock Auction is suspended as a registrant for three years. Carey and Martha Jones are prohibited from registering to engage in business as a market agency selling on commission subject to the Packers and Stockyards (P&S) Act for three years.

JLA, LLC, doing business as Marshall Livestock Auction, Carey and Martha Jones are jointly assessed a \$33,000 civil penalty.

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



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News Release

Release No.: 42-13

Contact:
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GIPSA Settles a Case with Tom Agler Livestock, LLC Resulting in a \$500 Penalty

WASHINGTON, Feb. 15, 2013 – 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.

Tom Agler Livestock, LLC, Spencerville, Ohio -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that they failed to pay for livestock within the time period required by the P&S Act.

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News Release

Release No.: 43-13

Contact:
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GIPSA Alleges Jack and Sandra Berry, d/b/a Clinton Livestock Auction Violated the Packers and Stockyards Act

WASHINGTON, March 6, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jack and Sandra Berry, doing business as Clinton Livestock Auction, Clinton, Okla.:

- failed to properly use and maintain its custodial account;
- had custodial account shortages on June 30, 2011, in the amount of \$166,643.25;
- had custodial account shortages on July 31, 2011, in the amount of \$157,742.06;
- had custodial account shortages on August 28, 2011, in the amount of \$170,510.02;
- these custodial account shortages were due, in part, to Jack and Sandra Berry’s failure to deposit in the custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable for sales of consigned livestock; and
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transactions in their business.

GIPSA filed a complaint against Jack and Sandra Berry on January 9, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Jack and Sandra Berry may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Jack and Sandra Berry were engaged in the business of conducting and operating Clinton Livestock Auction, a stockyard posted under and subject to the provisions of the P&S Act; engaged in the business of a dealer buying and selling livestock in commerce on a commission basis; and is not registered with the Secretary of Agriculture.

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



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News Release

Release No.: 44-13

Contact:
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Robin Olson, d/b/a American Cattle Services Has Been Suspended as a Registrant

WASHINGTON, March 6, 2013 – On January 24, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Robin Olson, doing business as American Cattle Services, Clinton, Okla.

Robin Olson has been ordered to cease and desist from:

- engaging in business day in any capacity for which bonding is required without first becoming properly registered under the Packers and Stockyards (P&S) Act without filing and maintaining an adequate bond or its equivalent;
- failing to pay livestock dealers the full amount of the purchase price for livestock before the close of the next business day following each purchase of livestock;
- failing to maintain sufficient fund on deposit and available in the account upon which payment checks are drawn to pay such checks when presented;
- failing to pay or settle for livestock on the basis of the actual weight of the livestock when he buys, acquires, pays or settles for livestock on a weight basis, and from failing to disclose the actual weight of the livestock and the date and location of their weighing on the accountings, bills, or statements issued for livestock.

Robin Olson is suspended as a registrant for a period of two 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.: 45-13

Contact:
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Charles Helmick Has Been Assessed a \$29,504.26 Civil Penalty

WASHINGTON, March 6, 2013 – On December 19, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision with Charles Helmick, Buckhannon, W.Va.

Charles Helmick has been ordered to cease and desist from failing to pay, when due, the full purchase price of livestock purchased.

Charles Helmick has been assessed a civil penalty in the amount of \$29,504.26 and is suspended from registering under the Packers and Stockyards (P&S) Act for a period not to exceed three 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.: 46-13

Contact:
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Monte Clark Has Been Assessed a \$4,500 Civil Penalty

WASHINGTON, March 6, 2013 – On February 11, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Monte Clark, Hudson, Colo.

Monte Clark has been ordered to cease and desist from failing to pay, when due, the full purchase price of livestock purchased.

Monte Clark has been assessed a civil penalty in the amount of \$4,500.

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.: 47-13

Contact:
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Johnny Dobson Was Ordered to Cease and Desist

WASHINGTON, March 6, 2013 – On December 20, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Johnny Dobson, Sulphur Springs, Texas.

Johnny Dobson was ordered to cease and desist from engaging in the business of a market agency buying livestock on a commission basis in commerce without maintaining an adequate bond or bond equivalent.

Johnny Dobson was prohibited from being registered and engaging in any activity for which registration is required under the Packers and Stockyards (P&S) Act for a period of 30 days. His suspension terminated on February 8, 2013, after he registered with the Secretary of Agriculture and obtained a bond.

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



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News Release

Release No.: 48-13

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

Central Beef Industries, LLC Has Been Assessed a \$22,000 Civil Penalty

WASHINGTON, March 6, 2013 – On February 20, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Central Beef Industries, LLC, Center Hill, Fla.

Central Beef Industries, LLC has been ordered to cease and desist from failing to pay, when due, the full purchase price of livestock purchased.

Central Beef Industries, LLC has been assessed a civil penalty in the amount of \$22,000.

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.: 49-13

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

Gary Thompson Has Been Suspended as a Registrant

WASHINGTON, March 6, 2013 – On February 11, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Gary Thompson, Pitkin, La.

Gary Thompson has been ordered to cease and desist from purchasing livestock and failing to pay, when due, for livestock purchases.

Gary Thompson has been ordered to keep and maintain accounts, records, and memoranda that fully and accurately disclose the true nature of his operation subject to the Packers and Stockyards (P&S) Act.

Gary Thompson is suspended as a registrant for a period of 10 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.: 50-13

Contact:
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Wing & Sing Poultry Market, Inc., d/b/a New Wing and Sing and Poultry, Inc., and Wing and Sing Poultry, and Island Farm Meat, Corp., d/b/a Al-Noor Live Chicken Market, d/b/a Alnoor Halal Live Poultry Market, d/b/a Al-Noor Live Poultry, d/b/a Al-Noor Halal Poultry, Inc., and d/b/a Al-Noor Halal Meat Chicken and Fish Market and Mohammed Yasser Aldeen, a/k/a Mohammed Bader, a/k/a Mohammad Badereldeen, a/k/a Mohammed Eldeen and a/k/a Yesser M. Eldeen Has Been Assessed a \$15,000 Civil Penalty

WASHINGTON, March 6, 2013 – On January 8, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Wing & Sing, et al., Brooklyn, N.Y.

Wing & Sing, et al. were ordered to cease and desist from:

- failing to pay for poultry purchases; and
- failing to pay, when due, for poultry purchases.

Wing & Sing, et al, were also assessed a \$15,000 civil penalty which is to be held in abeyance. Payment of the \$15,000 civil penalty will be waived provided Wing & Sing, et al. meet the of the terms of an Understanding Regarding the Consent Decision (Understanding). The Understanding provides for payment of specified amounts owed for poultry purchases. This consent decision resolves the January 8, 2013, complaint in which GIPSA alleged Wing & Sing, et al.:

- purchased live poultry in cash sales and failed to deliver, when due, the full amount due for the poultry purchases; and
- owed approximately \$248,122.60 to Watkins Poultry Merchants of NY, Inc., as of the date of the complaint.

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.: 51-13

Contact:
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GIPSA Settles a Case with Albert R. Hershberger, d/b/a Danville Auction, LLC Resulting in a \$1,950 Penalty

WASHINGTON, March 6, 2013 – 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.

Albert R. Hershberger, doing business as Danville Auction, LLC, Danville, Ohio -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,950 after GIPSA found that he failed to pay for livestock within the time period required by 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.: 52-13

Contact:

Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Empacadora y Procesadora del Sur, Inc., f/d/b/a S.J. Meat Processing, Inc., and Carlos C. Rodriguez Alonso Violated the Packers and Stockyards Act

WASHINGTON, March 14, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Empacadora y Procesadora del Sur, Inc., formerly doing business as S.J. Meat Processing, Inc., and Carlos C. Rodriguez Alonso, Coamo, P.R.

- purchased livestock and failed to pay, when due, the full purchase price for the livestock purchases; and
- purchased livestock on a carcass weight basis and failed to use the actual hot carcass weight to pay for the livestock.

GIPSA filed a complaint against Empacadora y Procesadora del Sur, Inc. and Carlos C. Rodriguez Alonso on February 4, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Empacadora y Procesadora del Sur, Inc. and Carlos C. Rodriguez Alonso may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Empacadora y Procesadora del Sur, Inc. formally doing business as S.J. Meat Processing, Inc., under the direction, management, and control of Carlos C. Rodriguez Alonso was engaged in the business of buying livestock in commerce for the purpose of slaughter and of manufacturing and preparing meats or meat food products for sale or shipment in commerce and was a packer.

Carlos C. Rodriguez Alonso was president of Empacadora y Procesadora del Sur, Inc.; a registered agent for Empacadora y Procesadora del Sur, Inc.; owner of 100% of the stock issued by Empacadora y Procesadora del Sur, Inc.; and responsible for the direction, management, and control of Empacadora y Procesadora del Sur, Inc.

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



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News Release

Release No.: 53-13

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

GIPSA Settles a Case with Peter Elliot, d/b/a Elliot Livestock Resulting in a \$700 Penalty

WASHINGTON, March 6, 2013 – 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.

Peter Elliot, doing business as Elliot Livestock, Edgewood, Iowa -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$700 after

GIPSA found that he failed to pay for livestock within the time period required by the P&S Act.

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News Release

Release No.: 54-13

Contact:
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GIPSA Settles a Case with Matthew Riley Middleton, d/b/a Matt Middleton Cattle Company Resulting in a \$500 Penalty

WASHINGTON, March 6, 2013 – 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.

Matthew Riley Middleton, doing business as Matt Middleton Cattle Company, Keller, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that he failed to pay for livestock within the time period required by the P&S Act.

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News Release

Release No.: 56-13

Contact:
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GIPSA Alleges Keith Robertson, Charlene Robertson and Farmington Livestock, LLC Violated the Packers and Stockyards Act

WASHINGTON, March 14, 2013 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Keith Robertson, Charlene Robertson and Farmington Livestock, LLC (Farmington), Bourbon, Mo.

- failed to properly maintain and use their custodial account endangering the payment due the owners or consignors of livestock;
- had outstanding checks drawn on their custodial account and had to offset such checks, resulting in custodial account shortages; and
- failed to deposit in the custodial account an amount equal to the proceeds receivable from the sale of consigned livestock and to the withdrawal of bank fees/charges from their custodial account.

GIPSA filed a complaint against Farmington, Keith and Charlene Robertson on January 29, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Farmington, Keith and Charlene Robertson may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Farmington, under the direction, management, and control of Keith and Charlene Robertson was engaged in the business of conducting and operating Farmington as a stockyard posted under and subject to the provisions of the P&S Act; engaged business of a market agency selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

Keith Robertson was president of Farmington; one of two members of Farmington; owner of 50% of Farmington; registered agent of Farmington; responsible for the direction, management and control of Farmington; engaged in the business of conducting and operating Farmington, a stockyard posted under and subject to the Keith Robertson provisions of the P&S Act; and engaged in the business as a market agency selling livestock in commerce on a commission basis.

Charlene Robertson was vice president of Farmington; one of two members of Farmington; owner of 50% of Farmington; registered agent of Farmington; responsible for the direction, management and control of Farmington; engaged in the business of conducting and operating Farmington, a stockyard posted under and subject to the provisions of the P&S Act; and engaged in the business as a market agency selling livestock in commerce on a commission basis.

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News Release

Release No.: 57-13

Contact:
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GIPSA Alleges Derek W. Crites, d/b/a DC Farms and Wayne H. Crites Violated the Packers and Stockyards Act

WASHINGTON, March 14, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Derek W. Crites (Derek Crites), doing business as DC Farms and Wayne H. Crites (Wayne Crites), Moorefield, W.V., purchased livestock and failed to pay, when due, the full purchase price for the livestock purchases.

GIPSA filed a complaint against DC Farms, Derek and Wayne Crites on February 14, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, DC Farms, Derek and Wayne Crites may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Derek Crites is an individual doing business as DC Farms. DC Farms was engaged in the business of a dealer buying and selling livestock in commerce for his own account and the account of others, and is registered with the Secretary of Agriculture.

Wayne Crites was engaged in the business of buying and selling livestock in commerce as a dealer for his own account or for the account of others, and is not registered with the Secretary of Agriculture; operates as a dealer within the jurisdiction of the P&S Act; and is responsible for the day-to-day management, direction, and control of DC Farms.

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.: 58-13

Contact:
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New Wilmington Livestock Auction, Inc., and Thomas R. Skelton Have Been Assessed a \$25,000 Civil Penalty

WASHINGTON, March 14, 2013 – On February 28, 2013, 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:

- engaging in business subject to the Packers and Stockyards (P&S) Act while current liabilities exceed current assets;
- failing to properly maintain their Custodial Account for Shippers' Proceeds in strict conformity with the P&S Act and regulations; and
- using funds received from the sale of consigned livestock for any purpose other than those specifically permitted in the regulations.

They have been suspended for 14 days or until they demonstrate to the satisfaction of the Packers and Stockyards Program that the custodial account shortages and insolvency have been corrected.

New Wilmington and Skelton have also been assessed a \$25,000 civil penalty. The civil penalty is being held in abeyance according to the terms and conditions of the consent decision.

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



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News Release

Release No.: 59-13

Contact:
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GIPSA Settles a Case with Elgin Livestock Sales, Inc., Resulting in a \$4,200 Penalty

WASHINGTON, March 14, 2013 – 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.

Elgin Livestock Sales, Inc., Elgin, Neb. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,200 after GIPSA found that they had custodial account shortages and issued non-sufficient funds checks.

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.: 60-13

Contact:
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GIPSA Settles a Case with Hasan Orman, d/b/a Superior Halal Meat Market Resulting in a \$1,800 Penalty

WASHINGTON, March 14, 2013 – 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.

Hasan Orman, doing business as Superior Halal Meat Market, Patterson, N.J. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,800 after GIPSA found that he failed to pay for livestock within the time period required by the P&S Act.

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News Release

Release No.: 61-13

Contact:
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GIPSA Settles a Case with Jack Buchanan, d/b/a 4B Ranch Resulting in a \$1,500 Penalty

WASHINGTON, March 14, 2013 – 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.

Jack Buchanan, doing business as 4B Ranch, Comanche, Texas -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that he bought livestock on a commission basis without registering with the Secretary of Agriculture and without obtaining a bond or bond equivalent.

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



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News Release

Release No.: 62-13

Contact:
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Catherine.M.Grasso@usda.gov

GIPSA Settles a Case with Daniel Szpara, d/b/a DT Livestock Resulting in a \$1,900 Penalty

WASHINGTON, March 14, 2013 – 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.

Dan Szpara, doing business as DT Livestock, Withee, Wis. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,900 after GIPSA found that he failed to pay for livestock within the time period required by the P&S Act.

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News Release

Release No.: 63-13

Contact:
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Randy R. Wientjes, d/b/a Brookport Cattle Company Is Suspended as a Registrant for 10 Years

WASHINGTON, March 19, 2013 – On February 14, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Randy R. Wientjes (Wientjes), doing business as Brookport Cattle Company, Metropolis, Ill.

Wientjes was ordered to cease and desist from failing to pay and failing to pay, when due, the full purchase price for livestock purchases.

Wientjes was suspended as a registrant for a period of 10 years. He is prohibited from engaging in any business subject to the Packers and Stockyards (P&S) Act without being registered with the Packers and Stockyards Program.

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.: 64-13

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Settles a Case with Triumph Foods, LLC, Resulting in a \$3,750 Penalty

WASHINGTON, March 19, 2013 – 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.

Triumph Foods, LLC, St. Joseph, Mo. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,750 after GIPSA found that it failed to disclose grower’s rights to cancel and include statement regarding additional capital investment; and improperly identifying Missouri as the legal forum when the principal part of the performance takes place in adjoining states.

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



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News Release

Release No.: 66-13

Contact:
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Daniel F. Froman, d/b/a R&K Real Estate, Inc. Is Suspended as a Registrant for 15 Years

WASHINGTON, March 28, 2013 – On March 24, 2013, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Daniel Froman, doing business as R&K Real Estate, Inc., Texarkana, Texas.

Daniel Froman has been ordered to cease and desist from:

- failing to maintain his “Custodial Account for Shippers’ Proceeds”;
- failing to deposit in his “Custodial Account for Shippers’ Proceeds” an amount equal to the outstanding proceeds receivable from the sale of consigned livestock;
- using funds received from the sale of consigned livestock for the payment of bank fees, or for any purpose other than payment to consignors of the amount due from the sale of their livestock and the payment of lawful marketing charges;
- failing to keep and maintain accounts, records and memoranda that fully and correctly discloses all transactions involved in his business;
- failing to pay and failing to pay, when due, the full purchase price for livestock purchases; and
- failing to have and maintain sufficient funds on deposit and available in the account upon which checks for livestock purchases are drawn to pay them when presented.

Daniel Froman is suspended as a registrant for a period of 15 years.

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



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News Release

Release No.: 67-13

Contact:
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Bruce Medley, d/b/a B&M Livestock Is Assessed a \$20,000 Civil Penalty

WASHINGTON, March 28, 2013 – On January 30, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision with Bruce Medley, doing business as B&M Livestock, Smithville, Tenn.

Bruce Medley has been ordered to cease and desist from failing to pay and failing to pay, when due, the full purchase price for livestock purchases.

Bruce Medley is suspended as a registrant for a period of five years. He has also been assessed a \$20,000 civil penalty.

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



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News Release

Release No.: 68-13

Contact:
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Brian Adams Has Been Assessed an \$8,500 Civil Penalty

WASHINGTON, March 28, 2013 – On December 17, 2012, the U.S. Department of Agriculture issued a default decision against Brian Adams which became final and effective on February 13, 2013.

Brian Adams has been ordered to cease and desist from engaging in business in any capacity for which registration and bonding are required under the Packers and Stockyards (P&S) Act and regulations without filing and maintaining an adequate bond or its equivalent and without first becoming properly registered under the P&S Act.

Brian Adams has also been assessed an \$8,500 civil penalty. He was prohibited from registering to engage in business subject to the P&S Act for a period of 30 days from the date of issuance of this Order. If his civil penalty has been paid he can submit an application for registration to the Packers and Stockyards Program along with the required bond or bond equivalent.

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



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News Release

Release No.: 69-13

Contact:
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GIPSA Settles a Case with R&C Livestock, LLC, and Timothy R. Reedy Resulting in a \$3,800 Penalty

WASHINGTON, March 28, 2013 – 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.

R&C Livestock, LLC, and Timothy R. Reedy, Liberty, W.Va. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,800 after GIPSA found that it failed to pay, when due, for livestock and issued insufficient funds checks 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.: 70-13

Contact:
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Vernon Black Is Assessed a Civil Penalty in the Amount of \$4,000

WASHINGTON, April 4, 2013 – On December 31, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Vernon Black, Riverton, Wyo.

Vernon Black has been ordered to cease and desist from:

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

He has also been assessed a civil penalty in the amount of \$4,000.

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



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News Release

Release No.: 71-13

Contact:
Catherine M. Grasso, (202) 720-7201
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Ronald Ryan Shepard, Jr., Jeremy E. Pierce and Brookfield Cattle Co., LLC, Prohibited from Engaging in Business Subject to the Act for 10 Years; Ronald Ryan Shepard, Jr. Assessed a \$582,000 Civil Penalty

WASHINGTON, April 4, 2013 – On January 29, 2013, the U.S. Department of Agriculture’s Judicial Officer issued a final decision and order regarding Ronald Ryan Shepard, Jr., a/k/a Ronald Ryan Sheppard, Jr., a/k/a Ron Shepard (Shepard), Goreville, Ill. This decision followed Shepard’s appeal of a default decision issued by the Chief Administrative Law Judge on October 25, 2012.

On August 7, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Jeremy E. Pierce (Pierce) and Brookfield Cattle Company, LLC (Brookfield), Goreville, Ill.

In these respective decisions, the Judicial Officer ordered Shepard, and an Administrative Law Judge ordered Pierce and Brookfield, to cease and desist from:

- failing to pay and failing to pay, when due, the full purchase price of livestock;
- failing to have and maintain sufficient funds on deposit and available in the account upon which checks are drawn to pay the checks when presented;
- buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent; and
- engaging in any business subject to the Packers and Stockyards (P&S) Act without being registered with the Packers and Stockyards Program.

Shepard, Pierce, and Brookfield are prohibited from registering and engaging in any activity for which registration is required under the P&S Act for a period of 10 years. Shepard has also been assessed a \$582,000 civil penalty.

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News Release

Release No.: 72-13

Contact:
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GIPSA Alleges David Starks, d/b/a Slow Cow Cattle Company Violated the Packers and Stockyards Act

WASHINGTON, April 4, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that David Starks, doing business as Slow Cow Cattle Company, McFarland, Wis.:

- bought and sold livestock in commerce without being registered with the Secretary of Agriculture and maintaining an adequate bond or bond equivalent; and
- failed to keep accounts, records, and memoranda that fully and correctly disclosed transactions.

GIPSA filed a complaint against David Starks on February 20, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, David Starks may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

David Sparks was engaged in the business of a dealer buying and selling livestock in commerce and is not registered with the Secretary of Agriculture.

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News Release

Release No.: 73-13

Contact:
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GIPSA Alleges M&L Farms, LLC, Jamil Jallaq, a/k/a Sam Jallaq, and Majdi Jallaq, a/k/a Mike Jallaq Violated the Packers and Stockyards Act

WASHINGTON, April 4, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that M&L Farms (M&L), LLC, Jamil Jallaq, also known as Sam Jallaq, and Majdi Jallaq, also known as Mike Jallaq, Grove City, Ohio, purchased livestock and failed to pay, when due, the purchase price for livestock purchased.

GIPSA filed a complaint against M&L, Jamil and Majdi Jallaq on March 15, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, M&L, Jamil and Majdi Jallaq may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

M&L was engaged in the business of buying livestock in commerce for the purpose of slaughter and is a packer.

Jamil Jallaq was an employee or agent of M&L; engaged in the business of buying livestock in commerce for the purpose of slaughter and is a packer.

Majdi Jallaq was an employee or agent of M&L; engaged in the business of buying livestock in commerce for the purpose of slaughter and is a packer.

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



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News Release

Release No.: 74-13

Contact:
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GIPSA Alleges Don Harris Buying Station, Inc., Don Harris and Nancy Harris Violated the Packers and Stockyards Act

WASHINGTON, April 4, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Don Harris Buying Station, Inc., Don Harris and Nancy Harris, Jerome, Idaho:

- issued checks in payment for livestock purchases that were returned because sufficient funds were not in the account upon which such checks were drawn; and
- failed to pay, when due, for livestock purchases.

GIPSA filed a complaint against Don Harris Buying Station, Inc., Don Harris and Nancy Harris on February 28, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Don Harris Buying Station, Inc., Don Harris and Nancy Harris may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

Don Harris Buying Station, Inc. was engaged in the business of a dealer buying and selling livestock in commerce for its own account and is registered with the Secretary of Agriculture. Don Harris was president and 50% owner of Don Harris Buying Station, Inc., and with Nancy Harris was responsible for the direction, management and control of Don Harris Buying Station, Inc.; and is a dealer.

Nancy Harris was vice-president and 50% owner of Don Harris Buying Station, Inc., and with Don Harris was responsible for the direction, management and control of Don Harris Buying Station, Inc.; and is a dealer.

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



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News Release

Release No.: 75-13

Contact:
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Martin D. Yoder, d/b/a Martin D. Yoder Livestock, Ltd. Has Been Assessed a \$28,000 Civil Penalty

WASHINGTON, April 11, 2013 – On March 27, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Martin D. Yoder, doing business as Martin D. Yoder Livestock, Ltd. (Yoder), Kidron, Ohio. Yoder has been ordered to cease and desist from:

- failing to pay, when due, the full amount of the purchase price for livestock;
- misrepresenting the grade and yield price obtained from the ultimate purchaser of the livestock; and
- taking an undisclosed profit above the commission from the sale of livestock sold on a commission basis.

Yoder has also been assessed a \$28,000 civil penalty.

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



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News Release

Release No.: 76-13

Contact:
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Douglas Butler Is Assessed a \$25,000 Civil Penalty

WASHINGTON, April 11, 2013 – On January 16, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a decision with Douglas Butler, New Haven, Vt.

Douglas Butler has been ordered to cease and desist from:

- failing to pay, when due, the full purchase price for livestock purchases; and
- failing to keep records that fully and correctly disclose all transactions.

He has also been assessed a \$25,000 civil penalty and is suspended as a registrant for two years.

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



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News Release

Release No.: 77-13

Contact:
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Thomas Kinderknecht, Barbara Kinderknecht, and Quinter Livestock, Inc. Have Been Assessed a \$3,000 Civil Penalty

WASHINGTON, April 11, 2013 – On March 26, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Thomas Kinderknecht, Barbara Kinderknecht, and Quinter Livestock, Inc., Park, Kan. Thomas and Barbara Kinderknecht and Quinter Livestock, Inc. have been ordered to cease and desist from:

- operating with a shortage in its custodial account; and
- failing to deposit into its custodial accounts, within the time prescribed in the regulations, an amount equal to the proceeds receivable from the sale of consigned livestock and to the withdrawal of bank charges from their custodial account.

They have also been assessed a \$3,000 civil penalty and were suspended for 30 days and thereafter until the custodial account is in balance.

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



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Release No.: 78-13

Contact:
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Benjamin W. Dunlap, a/k/a Ben Dunlap, d/b/a Ben Dunlap Livestock, d/b/a Dunlap Cattle and Farms, and d/b/a Phat Buzzard Cattle Co. Has Been Ordered to Make Restitution to Two Unpaid Livestock Sellers

WASHINGTON, April 11, 2013 – On March 27, 2013, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Benjamin W. Dunlap, also known as Ben Dunlap, doing business as Ben Dunlap Livestock, doing business as Dunlap Cattle and Farms, and doing business as Phat Buzzard Cattle Co. (Dunlap), Bear Creek, N.C.

Dunlap has been ordered to cease and desist from failing to pay and failing to pay, when due, the full purchase price for livestock.

Dunlap is suspended as a registrant for five years. He has been ordered to make full payment to two unpaid livestock sellers. If restitution is made in the amount of \$84,000, within three years, the suspension will be lifted.

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.: 78-13

Contact:
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GIPSA Settles a Case with Atkinson Livestock Market, Inc., Resulting in a \$2,750 Penalty

WASHINGTON, April 11, 2013 – 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.

Atkinson Livestock Market, Inc., Atkinson, Neb. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,750 after GIPSA found that it had custodial account shortages and misused its custodial account.

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



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News Release

Release No.: 80-13

Contact:
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GIPSA Settles a Case with Pearsall Livestock Auction, Inc., Resulting in a \$500 Penalty

WASHINGTON, April 11, 2013 – 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.

Pearsall Livestock Auction, Inc., Pearsall Atkinson, Neb. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that it failed to have its scale tested.

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.: 81-13

Contact:
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GIPSA Alleges John C. Howard Violated the Packers and Stockyards Act

WASHINGTON, April 18, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that John C. Howard, Ward, Ark., engaged in the business of a dealer without maintaining an adequate bond or bond equivalent.

GIPSA filed a complaint against John C. Howard on March 11, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, John C. Howard may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

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

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



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News Release

Release No.: 82-13

Contact:
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GIPSA Alleges Paul Day Violated the Packers and Stockyards Act

WASHINGTON, April 18, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Paul Day, Springfield, Mo.:

- engaged in the business of a dealer buying and selling livestock in commerce and as a market agency buying and/or selling livestock in commerce on a commission basis without being registered with the Secretary of Agriculture and without maintaining an adequate bond or bond equivalent; and
- failed to pay, when due, the full amount of the purchase price for livestock.

GIPSA filed a complaint against Paul Day on March 28, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Paul Day 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.: 83-13

Contact:
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T&M Cattle, Inc., and Travis Witt Have Been Assessed an \$8,000 Civil Penalty

WASHINGTON, April 18, 2013 – On April 3, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with T&M Cattle, Inc. (T&M), and Travis Witt (Witt), Falls City, Neb.

T&M and Witt have been ordered to cease and desist from failing to provide true and accurate written accounts of all livestock purchases as required by the Packers and Stockyards (P&S) Act and regulations.

T&M and Witt have also been assessed an \$8,000 civil penalty.

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



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News Release

Release No.: 84-13

Contact:
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John Michael Loy, d/b/a Loy's Sale Barn Has Been Assessed a \$15,000 Civil Penalty

WASHINGTON, April 18, 2013 – On March 29, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with John Michael Loy (Loy), doing business as Loy's Sale Barn, Portland, Ind. Loy has been ordered to cease and desist from:

- failing to properly maintain and use the "Custodial Account for Shippers' Proceeds";
- failing to keep and maintain accounts, records, and memoranda which fully and accurately disclose the true nature of their operations subject to the Packers and Stockyards (P&S) Act.

Loy has also been assessed a \$15,000 civil penalty.

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News Release

Release No.: 85-13

Contact:
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GIPSA Settles a Case with Ryan Bero Resulting in a \$1,500 Penalty

WASHINGTON, April 18, 2013 – 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.

Ryan Bero, Masena, N.Y. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that it failed to pay, when due, for livestock purchases.

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



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News Release

Release No.: 86-13

Contact:
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GIPSA Settles a Case with Salem Livestock Auction, Inc., d/b/a Licking Livestock LLC, and Keith Robertson, Scott Lauderdale, Chuck Thompson and Allen Thompson Resulting in a \$2,750 Penalty

WASHINGTON, April 18, 2013 – 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.

Salem Livestock Auction, Inc., d/b/a Licking Livestock, LLC and Keith Robertson, Scott Lauderdale, Chuck Thompson and Allen Thompson, Salem, Mo. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,750 after GIPSA found that they had custodial account shortages and misused their custodial account.

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News Release

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Contact:
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Doyle Harms, d/b/a Harms Livestock Has Been Assessed a \$20,000 Civil Penalty

WASHINGTON, April 24, 2013 – On August 9, 2012, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Doyle Harms, doing business as Harms Livestock, Redfield, S.D.

Doyle Harms has been ordered to cease and desist from:

- failing to pay, when due, the full amount of the purchase price for livestock; and
- issuing checks to livestock sellers in payment for livestock without maintaining sufficient funds on deposit and available in the account upon which those checks are drawn to pay those checks when presented.

Doyle Harms has been assessed a \$20,000 civil penalty.

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



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News Release

Release No.: 88-13

Contact:
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Milan Livestock Auction, Inc., d/b/a Brookfield Sales Co., Wendell Fleshman and Linda Fleshman Have Been Assessed a \$55,000 Civil Penalty

WASHINGTON, April 24, 2013 – On April 11, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Milan Livestock Auction, Inc. (Milan Livestock), doing business as Brookfield Sales Co., Wendell Fleshman and Linda Fleshman.

Milan Livestock, Wendell and Linda Fleshman have been ordered to cease and desist from:

- engaging in any act, practice or course of business for the purpose of obtaining money from the purchasers of livestock by false or deceptive pretenses, which operate or would operate as a fraud or deceit upon any person in connection with the purchase or sale of livestock;
- entering into, continuing in, or cooperating in any agreement, arrangement, understanding or course of business with any person for the purpose of aiding or assisting such person to obtain money from the purchasers of livestock by false or deceptive pretenses, or which enables such person to engage in a practice which operates or would operate as a fraud or deceit upon any person in connection with the purchase or sale of livestock;
- misrepresenting, directly or indirectly, to the purchasers of livestock, the origin of such livestock, the true name of the seller of such livestock, the actual purchase prices for such livestock, or the method or procedure by which they acquitted such livestock; and
- manipulating the price of livestock by creating false auction market invoices for customers.

They have been ordered to keep and maintain accounts, records, and memoranda that fully and correctly discloses all transactions involved in their business as a market agency.

Milan Livestock has been suspended as a registrant for 30 days. Wendell and Linda Fleshman are prohibited from being registered during the 30 day suspension period of Milan Livestock. They are prohibited from carrying on the business of a market agency or dealer without being registered.

They are assessed a civil penalty of \$55,000 which will be held in abeyance under the terms of this Consent Decision and 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.: 89-13

Contact:
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GIPSA Settles a Case with Wali Mayar, Stockton Livestock Auction Yards Resulting in a \$6,750 Penalty

WASHINGTON, April 24, 2013 – 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.

Wali Mayar, Stockton Livestock Auction Yards, French Camp, Ga. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$6,750 after GIPSA found that they had issued insufficient funds custodial checks and failed to timely remit for livestock purchases.

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



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News Release

Release No.: 90-13

Contact:
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GIPSA Settles a Case with Jackson County Regional Livestock Market, LLC, Martin D. Yoder, and Roger Mitchell Resulting in a \$2,000 Penalty

WASHINGTON, May 2, 2013 – 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.

Jackson County Regional Livestock Market, LLC, Martin D. Yoder, and Roger Mitchell, Ripley, W.Va. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that they operated with custodial account shortages.

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



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News Release

Release No.: 91-13

Contact:
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GIPSA Settles a Case with Frey Cattle Company, Inc., and Alan Halfmann Resulting in a \$1,500 Penalty

WASHINGTON, May 2, 2013 – 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.

Frey Cattle Company, Inc., and Alan Halfmann, Ballinger, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,500 after GIPSA found that they failed to pay, when due, for livestock purchases.

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.: 92-13

Contact:
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Keith Robertson, Charlene Robertson, and Farmington Livestock, LLC, Have Been Assessed a \$16,500 Civil Penalty

WASHINGTON, May 8, 2013 – On April 22, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Keith Robertson, Charlene Robertson, and Farmington Livestock, LLC (Farmington), Bourbon, Mo. Keith and Charlene Robertson and Farmington have been ordered to cease and desist from failing to properly maintain and use their custodial account.

They have also been assessed a civil penalty in the amount of \$16,500.

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



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News Release

Release No.: 93-13

Contact:
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Catherine.M.Grasso@usda.gov

Piedmont Livestock, Inc. and Joseph Ray Jones Have Been Assessed a \$14,000 Civil Penalty

WASHINGTON, May 8, 2013 – On March 7, 2013, the U.S. Department of Agriculture issued a default decision against Piedmont Livestock, Inc. (Piedmont) and Joseph Ray Jones (Jones), Burlington, N.C., which became final and effective for Piedmont on April 15, 2013, and final and effective for Jones on April 17, 2013.

Piedmont and Jones have been ordered to cease and desist from failing to pay, when due, the full amount for livestock purchases.

They have been assessed a \$14,000 civil penalty.

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



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News Release

Release No.: 94-13

Contact:
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GIPSA Alleges Wayne F. Craig & Sons, Inc. Violated the Packers and Stockyards Act

WASHINGTON, May 8, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Wayne F. Craig & Sons, Inc., Shippensburg, Pa., failed to pay, when due, the full amount for livestock purchases.

GIPSA filed a complaint against Wayne F. Craig & Sons, Inc. on April 24, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Wayne F. Craig & Sons, Inc., may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Wayne F. Craig & Sons, Inc., was engaged in the business of a market agency buying and selling livestock on a commission basis in commerce; engaged in the business of a dealer buying and selling livestock in commerce; and is registered with the Secretary of Agriculture.

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



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News Release

Release No.: 95-13

Contact:
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GIPSA Alleges Lincoln Provision, Inc. Violated the Packers and Stockyards Act

WASHINGTON, May 8, 2013 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Lincoln Provision, Inc., Chicago, Ill., purchased livestock and failed to pay, when due, the full amount for the livestock purchased.

GIPSA filed a complaint against Lincoln Provision, Inc. on March 28, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Lincoln Provision, Inc. may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Lincoln Provision, Inc. was engaged in the business of buying livestock in commerce for the purposes of slaughter and is a packer.

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



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News Release

Release No.: 96-13

Contact:
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GIPSA Alleges Al-Houda Meat Markets, Inc. Violated the Packers and Stockyards Act

WASHINGTON, May 14, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Al-Houda Meat Markets, Inc. (Al-Houda), Dearborn, Mich., engaged in the business of a packer purchasing livestock in commerce without maintaining a bond or bond equivalent.

GIPSA filed a complaint against Al-Houda on April 29, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Al-Houda may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Al-Houda is engaged in the business of buying livestock in commerce for the purpose of slaughter; engaged in the business of manufacturing or preparing meat and 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.: 97-13

Contact:
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GIPSA Settles a Case with Abdul Jalil Chaudhry, Chaudhry Meat Co., Inc., d/b/a Chaudhry Halal Meats Resulting in a \$500 Penalty

WASHINGTON, May 14, 2013 – 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.

Abdul Jalil Chaudhry, President, Chaudhry Meat Co., Inc., doing business as Chaudhry Halal Meats, Siler City, N.C. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that they failed to pay, when due, for livestock purchases.

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



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News Release

Release No.: 98-13

Contact:
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GIPSA Alleges Orange Livestock Market, Inc. and Joseph K. Howell Violated the Packers and Stockyards Act

WASHINGTON, May 22, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Orange Livestock Market, Inc., (Orange Livestock) and Joseph K. Howell (Howell), Orange, Va.:

- failed to pay the full amount for livestock purchased;
- failed to pay, when due, the full amount for livestock purchases; and
- issued two insufficient funds checks in payment for livestock purchases.

GIPSA filed a complaint against Orange Livestock and Howell on April 9, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Orange Livestock and Howell may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Howell was president of Orange Livestock; owner of 100% of the stock issued by Orange Livestock; responsible for the direction, management, and control of Orange Livestock.

Orange Livestock under the direction, management, and control of Howell was engaged in the business of a market agency buying and selling livestock on a commission basis in commerce; engaged in the business of a dealer buying and selling livestock in commerce; and is registered with the Secretary of Agriculture.

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



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News Release

Release No.: 99-13

Contact:
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John C. Howard Has Been Assessed a \$1,000 Civil Penalty

WASHINGTON, May 22, 2013 – On May 16, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with John C. Howard (Howard), Ward, Ark.

Howard has been ordered to cease and desist from engaging in business as a dealer without maintaining an adequate bond or bond equivalent.

He has also been assessed a civil penalty in the amount of \$1,000.

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



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News Release

Release No.: 100-13

Contact:
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GIPSA Settles a Case with Agiswine Alliance, Inc. and Mitchell Trubenbach Resulting in a \$2,750 Penalty

WASHINGTON, May 22, 2013 – 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.

Agiswine Alliance, Inc. and Mitchell Trubenbach, Hecla, S.D. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,750 after GIPSA found that they failed to remit payment to consignors by the close of the next business day.

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.: 101-13

Contact:
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GIPSA Alleges Christopher J. Bartels, d/b/a Bartels Packing, Bartels Packing, Inc., Walt's Wholesale Meats, Inc. Violated the Packers and Stockyards Act

WASHINGTON, May 29, 2013 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Christopher J. Bartels, doing business as Bartels Packing (Bartels), Bartels Packing, Inc., Walt's Wholesale Meats, Inc., Eugene, Ore.:

- entered into livestock procurement arrangements with a commission buyer, and the commission buyer also had a procurement arrangement to purchase livestock on a commission basis with one or more competing packers at the same livestock auction markets; and
- failed to conduct their livestock purchase operations in competition with, and independently of, each other at livestock sales.

GIPSA filed a complaint against Bartels, Bartels Packing, Inc., and Walt's Wholesale Meats, Inc., on April 15, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Bartels, Bartels Packing, Inc., and Walt's Wholesale Meats, Inc. may be ordered to cease and desists from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Bartels was engaged in the business of buying livestock in commerce for the purpose of slaughter, and of manufacturing or preparing meats or meat products for sale or shipment in commerce; is a packer; president, secretary and owner of Bartels Packing, Inc., and is responsible for the direction, management and control of Bartels Packing, Inc.

Bartels Packing, Inc., under the direction, management, and control of Bartels has been engaged in the business of buying livestock in commerce for the purposes of slaughter, and of manufacturing or preparing meats or meat products for sale or shipment in commerce, and is a packer.

Walt's Wholesale Meats, Inc., was engaged in the business of buying livestock in commerce for the purposes of slaughter, and of manufacturing or preparing meat or meat products for sale or shipment in commerce, and is a packer.

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



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News Release

Release No.: 102-13

Contact:
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GIPSA Alleges Jerry O. Smith Violated the Packers and Stockyards Act

WASHINGTON, May 29, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jerry O. Smith (Smith), Vernon, Fla.:

- issued an insufficient funds check;
- failed to pay, when due, the full amount for poultry purchases; and
- on two occasions, failed to pay the full amount of poultry purchase prices.

GIPSA filed a complaint against Smith on April 15, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Smith may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Smith was engaged in the business of a obtaining live poultry by purchase in commerce for the purpose of slaughter and operating 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.: 103-13

Contact:
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GIPSA Alleges Paul E. Gibson, Jr., d/b/a G&S Livestock Co. Violated the Packers and Stockyards Act

WASHINGTON, May 29, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Paul E. Gibson, Jr. (Gibson), doing business as G&S Livestock Co., Linton, Ind.:

- failed to pay, when due, the full amount for livestock purchases;
- failed to pay the full amount for livestock purchases; and
- was engaged in the business of buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent.

GIPSA filed a complaint against Gibson on April 9, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Gibson may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act; prohibited from engaging in business for which registration and bonding are required under the P&S Act; and assessed a civil penalty.

Gibson was engaged in the business of a dealer buying and selling livestock in commerce after the expiration of his registration with the Secretary of Agriculture.

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



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News Release

Release No.: 104-13

Contact:
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GIPSA Alleges Gary Wayne Tuttle Violated the Packers and Stockyards Act

WASHINGTON, June 4, 2013 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gary Wayne Tuttle (Tuttle), Greensboro, N.C., failed to pay, when due, the full amount for livestock purchases.

GIPSA filed a complaint against Tuttle on May 15, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Tuttle may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

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

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



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News Release

Release No.: 105-13

Contact:
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GIPSA Alleges Scott Deters, d/b/a Scott Deters Livestock Co. Violated the Packers and Stockyards Act

WASHINGTON, June 13, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Scott Deters (Deters), doing business as Scott Deters Livestock Co., Corning, Kan., failed to pay, when due, the full amount for livestock purchases.

GIPSA filed a complaint against Deters on April 24, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Deters may be ordered to cease and desist from violating the Packers and Stockyards (P&SP) Act, suspended, and assessed a civil penalty.

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

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



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News Release

Release No.: 106-13

Contact:
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GIPSA Settles a Case with Barnesville Livestock, LLC Resulting in a \$250 Penalty

WASHINGTON, June 13, 2013 – 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.

Barnesville Livestock, LLC, New Concord, Ohio – waived its right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$250 after GIPSA found that it filed to have scale ticket show actual weight of each draft of livestock.

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



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News Release

Release No.: 107-13

Contact:
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GIPSA Settles a Case with Arnold Kasmiersky, Jr. Resulting in a \$500 Penalty

WASHINGTON, June 13, 2013 – 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.

Arnold Kasmiersky, Jr., Fayetteville, Texas – waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$500 after GIPSA found that he failed to pay, when due, for livestock purchases.

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



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News Release

Release No.: 108-13

Contact:
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TW Cattle Co., LLC and Thomas J. Witt Have Been Assessed a \$50,000 Civil Penalty

WASHINGTON, June 13, 2013 – On May 10, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with TW Cattle Co., LLC (TW) and Thomas J. Witt (Witt), Falls City, Neb.

TW and Witt have been ordered to cease and desist from:

- failing to keep and maintain accounts, records and memoranda that fully and correctly discloses all transactions involved in their business; and
- failing to, promptly following the purchase of livestock on a commission or agency basis, transmit or deliver to the person for whose account such purchase was made, or the duly authorized agent, a true written account of the purchase showing the number, weight, and price of each kind of animal purchased, the names of the person from whom purchased, the date of the purchase, the commission and other lawful charges, and such other facts as may be necessary to complete the account and show fully the true nature of the transaction.

They have also been assessed a civil penalty in the amount of \$50,000.

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



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News Release

Release No.: 109-13

Contact:
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James Emanuel Mowery Has Been Assessed a \$4,000 Civil Penalty

WASHINGTON, June 19, 2013 – On March 20, 2013, the U.S. Department of Agriculture issued a default decision against James Emanuel Mowery (Mowery), Georgetown, Tenn., which became final and effective June 5, 2013.

Mowery has been ordered to cease and desist from:

- issuing checks in payment for livestock purchases without having and maintaining sufficient funds on deposit to cover the checks;
- failing to pay, when due, the full amount for livestock purchases; and
- engaging in business for which bonding is required without filing and maintaining an adequate bond or equivalent and without first becoming properly registered under the Packers and Stockyards (P&S) Act.

He has been assessed a \$4,000 civil penalty and is prohibited from being registered to engage in any activities for which registration is required under the P&S Act for a period of 30 days.

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



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News Release

Release No.: 110-13

Contact:
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GIPSA Settles a Case with Thomas G. Nix and Tom Nix, d/b/a TNT Cattle and d/b/a Supreme Beef Resulting in a \$600 Penalty

WASHINGTON, June 19, 2013 – 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.

Thomas G. Nix and Tom Nix, d/b/a TNT Cattle and d/b/a Supreme Beef, Anson, Texas – waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$600 after GIPSA found that he failed to pay, when due, for livestock purchases.

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



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News Release

Release No.: 111-13

Contact:
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Jimmy Springer Has Been Assessed a \$1,500 Civil Penalty

WASHINGTON, June 25, 2013 – On June 4, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Jimmy Springer (Springer), Lawrence, Kan.

Springer has been ordered to cease and desist from engaging in the business of a dealer or market agency in commerce without maintaining an adequate bond or bond equivalent.

Springer has also been assessed a civil penalty in the amount of \$1,500. Six hundred and fifty dollars (\$650) will be held in abeyance for 5 years. This is providing that Springer does not buy livestock in commerce as a dealer on a commission basis without a bond.

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



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News Release

Release No.: 112-13

Contact:
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GIPSA Settles a Case with Chamberlain Auction Sales, LLC, d/b/a Chamberlain Livestock Auction Resulting in a \$1,000 Penalty

WASHINGTON, June 25, 2013 – 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.

Chamberlain Auction Sales, LLC, d/b/a Chamberlain Livestock Auction, Chamberlain, S.D. – waived its right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that it failed to have its scale tested between July 1 and December 31, 2012.

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.: 113-13

Contact:
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GIPSA Alleges Jerry Stokes, d/b/a Jerry Stokes Cattle Violated the Packers and Stockyards Act

WASHINGTON, July 2, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jerry Stokes, doing business as Jerry Stokes Cattle, Garrison, Texas, failed to pay, when due, the full amount for livestock purchases.

GIPSA filed a complaint against Jerry Stokes on May 23, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Jerry Stokes may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

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

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



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News Release

Release No.: 114-13

Contact:
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GIPSA Alleges Tina Stockyards, LLC, Carl Jacob Auer and Heather Auer Violated the Packers and Stockyards Act

Washington, July 2, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Tina Stockyards, LLC (Tina Stockyards), Carl Jacob (Jake) Auer and Heather Auer, Tina, Mo., violated the Packers and Stockyards (P&S) Act.

Tina Stockyards, under the direction, management, and control of Jake and Heather Auer:

- generated false sales invoices for commissioned livestock buyers; and
- generated false sales invoices for livestock dealers.

The false invoices, which were produced after the livestock had been purchased at Tina Stockyards, showed purchase prices that were higher than the actual purchase prices. Jake and Heather Auer received selling commissions and yardage on all of the transactions in which false invoices were generated for buyers.

GIPSA filed a complaint against Tina Stockyards, Jack and Heather Auer on May 15, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Tina Stockyards, Jack and Heather Auer may be ordered to cease and desist from violating the P&S Act, suspended, and assessed a civil penalty.

Tina Stockyards was engaged in the business of conducting and operating a posted stockyard, engaged in the business of a market agency selling consigned livestock in commerce on a commission basis, and is registered with the Secretary of Agriculture.

Jack and Heather Auer were owners and members of Tina Stockyards and engaged in the business of a market agency.

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



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News Release

Release No.: 115-13

Contact:
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GIPSA Settles a Case with Rick Woehlhaff, Glacial Lakes Livestock, Inc. Resulting in a \$2,200 Penalty

WASHINGTON, July 2, 2013 – 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.

Rick Woehlhaff, Glacial Lakes Livestock, Inc., Watertown, S.D. – waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,200 after GIPSA found that they had custodial account shortages and misused custodial funds.

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News Release

Release No.: 117-13

Contact:
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GIPSA Alleges Carlisle Livestock Market, Inc. Violated the Packers and Stockyards Act

WASHINGTON, July 19, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Carlisle Livestock Market, Inc. (Carlisle), Carlisle, Pa., did not use a printing device on its scale and the weights were being handwritten on the scale tickets.

GIPSA filed a complaint against Carlisle on June 20, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Carlisle may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Carlisle was 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.

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.: 118-13

Contact:
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GIPSA Alleges Dixie Livestock Market, Inc., and Tammy Sikes Violated the Packers and Stockyards Act

WASHINGTON, July 19, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Dixie Livestock Market, Inc. (Dixie Livestock) and Tammy Sikes (Sikes), Collins, Ga.:

- generated or permitted to be generated purchase invoices with false information at the request of Justin Turner, who is registered as a market agency and a livestock dealer. Mr. Turner purchased livestock at Dixie Livestock and was permitted to personally use Dixie Livestock’s computer, or alternatively personnel at Dixie Livestock at Mr. Turner’s direction used Dixie Livestock’s computer, to generate purchase invoices that listed the livestock as having been purchased under false names instead of listing Mr. Turner as the purchaser. The falsified invoices represented that Mr. Turner had resold livestock that he had purchased at Dixie Livestock earlier the same day, when in fact Mr. Turner had not resold the livestock through the ring at Dixie Livestock and had only electronically transferred the livestock onto new purchase invoices under buyer numbers that were not his;
- listed purchase prices for livestock that were higher than the actual purchase prices; and
- engaged in this practice repeatedly from August 2, 2011 through October 25, 2011.

GIPSA filed a complaint against Dixie Livestock and Sikes on May 30, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Dixie Livestock and Sikes may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Dixie Livestock was engaged in the business of conducting and operating a stockyard, Dixie Livestock, which is posted under and subject to the provisions of the P&S Act; engaged in the business of a market agency selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

Sikes was Chief Financial Officer of Dixie Livestock; secretary; owner of 49% of Dixie Livestock; engaged in the business of conducting and operating Dixie Livestock, a posted stockyard under and subject to the provisions of the P&S Act; and was responsible for the direction, management, and control of Dixie Livestock's accounts and records.

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



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News Release

Release No.: 119-13

Contact:
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GIPSA Alleges F&F Farms & Cattle, Inc., and Todd Fortner Violated the Packers and Stockyards Act

WASHINGTON, July 19, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that F&F Farms & Cattle, Inc. (F&F), and Todd Fortner (Fortner), Kite, Ga.:

- caused to be generated purchase invoices with false information in that they purchased livestock at Dixie Livestock Market, Inc. (Dixie) of Collins, Ga., a posted stockyard. F&F and Fortner directed Dixie personnel to generate purchase invoices that represented that F&F and Fortner had resold livestock at Dixie that Fortner had purchased at Dixie. Instead, the livestock was only electronically transferred onto new purchase invoices for presentation to F&F’s and Fortner’s customers and listed purchase prices that were higher than the actual purchase prices. F&F and Fortner then transmitted the invoices with the marked-up prices to their customers on whose behalf the livestock was being purchased;
- purchased cow/calf pairs at Dixie and directed Dixie personnel to generate purchase invoices that split the cow/calf pairs and represented that one of the animals from each pair had been kept and then they claimed that they had resold the other animal at Dixie later the same day when in fact they had not resold the animal through the ring at Dixie. Instead, the other animals had only been electronically transferred the animal onto new purchase invoices for their customers and fabricated weights were listed for the split cow/calf pairs by arbitrarily assigning each animal of the split pair a portion of the total original combined weight of the cow/calf pair. Increased prices were fabricated for the animals that were electronically transferred onto new purchase invoices for F&F and Fortner’s customers;
- listed fabricated weights and fabricated prices for livestock;
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transactions involved in their business; and

- this practice happened repeatedly from August 1, 2011 through October 25, 2011.

GIPSA filed a complaint against F&F and Fortner on June 6, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, F&F and Fortner may be ordered to cease and desist from violating the Packer and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

F&F under the direction, management and control of Fortner was engaged in the business of a dealer buying and selling livestock in commerce and as a market agency buying livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

Fortner was president and sole owner of F&F; responsible for the direction, management and control of F&F and was engaged in the business of conducting and operating F&F and engaged in the business of a dealer buying and selling livestock in commerce and as a market agency buying livestock on a commission basis in commerce.

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News Release

Release No.: 120-13

Contact:
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GIPSA Alleges Justin Turner Violated The Packers and Stockyards Act

WASHINGTON, July 19, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Justin Turner (Turner), Arabi, Ga.:

- generated or caused to be generated purchase invoices with false information;
- purchased livestock at Dixie Livestock Market, Inc. (Dixie), Collins, Ga., and either personally used Dixie’s computer or directed Dixie’s personnel to generate purchase invoices that listed the livestock as having been purchased under false names instead of listing Turner as the purchaser and represented that Turner had resold livestock at Dixie that he had purchased at Dixie earlier the same day when in fact Turner had not resold the livestock through the ring at Dixie and had only electronically transferred the livestock onto new purchase invoices;
- the marked-up prices were transmitted on invoices to his customers;
- listed livestock as having been consigned under false names; and
- failed to keep and maintain accounts, records, and memoranda that fully and correctly disclosed all transactions involved in his business subject to the Packers and Stockyards (P&S) Act; and
- this practice happened from August 2, 2011 through October 25, 2011.

GIPSA filed a complaint against Turner on June 3, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Turner may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty.

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

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News Release

Release No.: 121-13

Contact:
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M&L Farms, LLC, Jamil Jallaq, aka Sam Jallaq, and Majdi Jallaq, aka Mike Jallaq Have Been Assessed a \$5,000 Civil Penalty

WASHINGTON, July 19, 2013 – On June 21, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with M&L Farms, LLC, Jamil Jallaq, also known as Sam Jallaq, and Majdi Jallaq, also known as Mike Jallaq, Grove City, Ohio.

M&L Farms, LLC, Jamil Jallaq, and Majdi were:

- ordered to cease and desist from failing to pay, when due, the full purchase price for livestock; and
- assessed a civil penalty in the amount of \$5,000.

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



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News Release

Release No.: 122-13

Contact:
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GIPSA Settles a Case with Harry Shelton, d/b/a Harry Shelton Livestock, LLC Resulting in a \$3,712 Penalty

WASHINGTON, July 19, 2013 – 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.

Harry Shelton, doing business as Harry Shelton Livestock, LLC, Manchester, Tenn. – waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,712 after GIPSA found that he failed to pay, when due, for livestock purchases.

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



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News Release

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Contact:
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David Starks, d/b/a Slow Cow Cattle Company Has Been Assessed a \$4,000 Civil Penalty

WASHINGTON, July 24, 2013 – On July 5, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with David Starks (Starks), doing business as Slow Cow Cattle Company, Stoughton, Wis. Starks has been ordered to cease and desist from engaging in business in any capacity for which bonding is required under the Packers and Stockyards (P&S) Act and without first becoming properly registered.

Starks has been ordered to keep and maintain all accounts, records, and memorandum that fully and correctly disclose all transactions involved in its business.

Starks has been assessed a civil penalty in the amount of \$4,000. The civil penalty will be held in abeyance for 12 months from the effective date of the consent decision and order as long as Starks complies with the requirements of the P&S Act, regulations, and conditions of the consent decision and order.

Starks is prohibited from registering under the P&S Act for a period of 30 days from the effective date of the consent decision.

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News Release

Release No.: 124-13

Contact:
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Perkins Livestock, LLC and Rob Taylor Were Suspended

WASHINGTON, July 24, 2013 – On April 24, 2013, the U.S. Department of Agriculture issued a decision against Perkins Livestock, LLC (Perkins Livestock) and Rob Taylor (Taylor), Perkins, Okla., which became final and effective June 26, 2013.

Perkins Livestock and Taylor were ordered to cease and desist from failing to properly maintain their custodial account.

Perkins Livestock was suspended as a registrant for 21 days under the Packers and Stockyards (P&S) Act until Perkins Livestock and Taylor demonstrated that their custodial account shortages had been corrected.

Taylor was prohibited from registering under the P&S Act during the time period of Perkins Livestock's suspension.

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



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News Release

Release No.: 125-13

Contact:
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GIPSA Settles a Case with Interstate Regional Stockyards, Inc., and Ralph Rutz and Jim Hurst Resulting in a \$3,000 Penalty

WASHINGTON, July 24, 2013 – 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.

Interstate Regional Stockyards, Inc., and Ralph Rutz and Jim Hurst, Cuba, Mo. – waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,000 after GIPSA found that they failed to pay, when due, for livestock.

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News Release

Release No.: 126-13

Contact:
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Cambridge Valley Livestock Market, Inc. Has Been Assessed a \$36,500 Civil Penalty

WASHINGTON, July 24, 2013 – On April 24, 2013, the U.S. Department of Agriculture issued a decision against Cambridge Valley Livestock Market, Inc. (Cambridge), Cambridge, N.Y., which became final and effective July 15, 2013.

Cambridge has been ordered to cease and desist from:

- failing to properly maintain its custodial account;
- using funds received from the sale of consigned livestock for any purpose other than those specifically permitted in the Regulations; and
- failing to remit, when due, the proceeds of livestock sales to consignors.

Cambridge is order to keep and maintain accounts, records and memoranda which fully and correctly discloses the true nature of all transactions involved in its business. Cambridge has been assessed a \$36,500 civil penalty.

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



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News Release

Release No.: 127-13

Contact:
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GIPSA Alleges Larry K. Smeal, Jr. Violated the Packers and Stockyards Act

WASHINGTON, July 31, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Larry K. Smeal, Jr. (Smeal), Frostproof, Fla., as a dealer bought and sold livestock in commerce and as a market agency bought or sold livestock in commerce on a commission basis without being registered with the Secretary of Agriculture and without maintaining an adequate bond or bond equivalent.

GIPSA filed a complaint against Smeal on May 15, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Smeal may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty. Smeal has engaged in the business of a dealer buying or selling livestock in commerce and as a market agency buying or selling livestock on a commission basis in commerce under his own name; as a sole proprietorship doing business under the name of Central Florida Calf Farm, Inc.; and under the fictitious name Smeal Trucking.

Central Florida Calf Farm, Inc. is a corporation organized under the laws of the State of Florida and was dissolved as of September 14, 2007. Central Florida Calf Farm, Inc. was under the direction, management, and control of Smeal.

Smeal Trucking was organized under the laws of the State of Florida on January 28, 2010.

Smeal Trucking is, and was, at all times material under the direction, management, and control of Smeal.

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.: 128-13

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Wayne F. Craig & Sons, Inc. Have Been Assessed a \$500 Civil Penalty

WASHINGTON, July 31, 2013 – On July 15, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Wayne F. Craig & Sons, Inc., Shippensburg, Pa.

Wayne F. Craig & Sons, Inc. was ordered to cease and desist from failing to pay, when due, for livestock purchased and assessed a civil penalty in the amount of \$500.

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



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News Release

Release No.: 129-13

Contact:
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GIPSA Settles a Case with Paul Pittman and Schuyler Livestock Sales, Inc. Resulting in a \$2,500 Penalty

WASHINGTON, July 31, 2013 – 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.

Paul Pittman and Schuyler Livestock Sales, Inc., Rushville, Ill. – waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that they operated with custodial account shortages.

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



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News Release

Release No.: 130-13

Contact:
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J.H. Routh Has Been Assessed a \$27,500 Civil Penalty

WASHINGTON, Aug. 7, 2013 – On July 23, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with J.H. Routh (Routh), Sandusky, Ohio.

Routh has been ordered to cease and desist from:

- failing to accurately maintain the identity of each seller's livestock and the carcasses derived from the livestock;
- failing to provide true written accountings of livestock transactions to sellers; and
- failing to make settlement and final payment for livestock on the actual hot carcass weights.

Routh has been assessed a \$27,500 civil penalty.

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



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News Release

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Contact:
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Farmer Grown Poultry, LLC Has Been Assessed a \$7,000 Civil Penalty

WASHINGTON, Aug. 7, 2013 – On June 17, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Farmer Grown Poultry, LLC (Farmer Grown), Fort Atkinson, Iowa.

Farmer Grown was ordered to cease and desist from failing to pay live poultry dealers.

Farmer Grown has been assessed a \$7,000 civil penalty.

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



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News Release

Release No.: 132-13

Contact:
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Ocala Livestock Market, Inc., Michael Yeomans, aka Tony Yeomans and Tobitha Yeomans Have Been Ordered to Cease and Desist

WASHINGTON, Aug. 7, 2013 – On July 18, 2013, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Ocala Livestock Market, Inc. (Ocala), Lowell, Fla.: Michael Yeomans, also known as Tony Yeomans and Tobitha Yeomans.

Ocala and Tony and Tobitha Yeomans have been ordered to cease and desist from:

- failing to properly maintain their Custodial Account for Shippers’ Proceeds;
- using funds received from the sale of consigned livestock for any purpose other than those specifically permitted under the Regulations issued under the Packers and Stockyards (P&S) Act;
- issuing custodial account checks without having sufficient funds on deposit and available in the Custodial Account for Shippers’ Proceeds to pay the checks when presented; and
- failing to remit, when due, the proceeds of livestock sales to consignors.

Ocala is suspended as a registrant for 119 days.

Tony and Tobitha Yeomans are prohibited from registering subject to the P&S Act in their own names or in any other manner for 119 days to begin on the effective date of this order. They are also prohibited from being employed by any registrant or packer for the duration of the 119 day registration prohibition period.

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



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Contact:
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Scott Deters d/b/a Scott Deters Livestock Co. Has Been Assessed a \$2,500 Civil Penalty

WASHINGTON, Aug. 7, 2013 – On July 26, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Scott Deters (Deters), doing business as Scott Deters Livestock Co., Corning, Kan.

Deters was ordered to cease and desist from failing to pay, when due, for livestock and assessed a \$2,500 civil penalty.

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



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Contact:
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GIPSA Settles a Case with Macon Stockyard, Inc. Resulting in a \$6,250 Penalty

WASHINGTON, Aug. 7, 2013 – 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.

Macon Stockyard, Inc., Macon, Miss. – waived its right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$6,250 after GIPSA found that it used a false name, inflated sale prices and weights, and listed weights unsupported by scale tickets.

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.: 135-13

Contact:
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GIPSA Settles a Case with Andy and Lisa Stubblefield, Lebanon Livestock Auction, S&T, LLC Resulting in a \$2,000 Penalty

WASHINGTON, Aug. 7, 2013 – 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.

Andy and Lisa Stubblefield, Lebanon Livestock Auction, S&T, LLC, Phillipsburg, Mo. – waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that they had custodial account shortages and misused their custodial account.

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



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Release No.: 136-13

Contact:
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GIPSA Alleges Petaluma Livestock Auction Yard, Inc. and Manuel A. Brazil Violated the Packers and Stockyards Act

Washington, Aug. 15, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Petaluma Livestock Auction Yard, Inc. (Petaluma), and Manuel Brazil (Brazil), Petaluma, Calif., failed to maintain and properly use their custodial account for shipper’s proceeds in that they failed to deposit in the custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable for sales of consigned livestock creating custodial account shortages.

GIPSA filed a complaint against Petaluma and Brazil on July 25, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Petaluma and Brazil may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and/or assessed a civil penalty.

Petaluma under the direction, management, and control of Brazil was engaged in the business of conducting and operating Petaluma, a stockyard posted under and subject to the provisions of the P&S Act; engaged in the business of a market agency selling livestock on a commission basis in commerce; as a dealer to buy and sell livestock in commerce; is registered with the Secretary of Agriculture; engaged in the business of buying livestock in commerce for the purposes of slaughter and of manufacturing and preparing meats or meat food products for sale or shipment in commerce at a facility in Newman, Calif.; and a packer.

Brazil was president of Petaluma; owner of 100% of the stock issued by Petaluma; and responsible for the direction, management, and control of Petaluma.

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.



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.: 137-13

Contact:
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GIPSA Alleges Premier Poultry, Inc. Violated the Packers and Stockyards Act

Washington, Aug. 15, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Premier Poultry, Inc. (Premier), Brooklyn, N.Y., on 22 separate dates, obtained live poultry from a Pennsylvania poultry supplier and failed to timely deliver the full amount due to the poultry supplier in the amount of \$269,307.19.

GIPSA filed a complaint against Premier on August 8, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Premier may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and/or assessed a civil penalty.

Premier was engaged in the business as a live poultry dealer in the State of New York.

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.: 138-13

Contact:
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3-State Stockyards, Inc. and Robert J. Witt Have Been Assessed a \$43,000 Civil Penalty

WASHINGTON, Aug. 15, 2013 – On August 2, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with 3-State Stockyards, Inc. (3-State) and Robert J. Witt (Witt), Falls City, Neb.

3-State and Witt have been ordered to cease and desist from:

- failing to keep and maintain accounts, records and memoranda that fully and correctly discloses all transactions involved in their business; and
- failing to, promptly following the purchase of livestock on a commission or agency basis, transmit or deliver to the person for whose account such purchase was made, or the duly authorized agent, a true written account of the purchase showing the number, weight, and price of each kind of animal purchased, the names of the person from whom purchased, the date of the purchase, the commission and other lawful charges, and other facts as may be necessary to complete the account and show fully the true nature of the transaction.

3- State and Witt have been assessed a \$43,000 civil penalty.

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



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News Release

Release No.: 139-13

Contact:
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Riverside Cattle Co., LLC and Brian J. Witt Have Been Assessed a \$43,000 Civil Penalty

WASHINGTON, Aug. 15, 2013 – On August 7, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Riverside Cattle Co., LLC (Riverside) and Brian J. Witt (Witt), Falls City, Neb. Riverside and Witt have been ordered to cease and desist from:

- failing to keep and maintain accounts, records and memoranda that fully and correctly discloses all transactions involved in their business; and
- failing to, promptly following the purchase of livestock on a commission or agency basis, transmit or deliver to the person for whose account such purchase was made, or the duly authorized agent, a true written account of the purchase showing the number, weight, and price of each kind of animal purchased, the names of the person from whom purchased, the date of the purchase, the commission and other lawful charges, and other facts as may be necessary to complete the account and show fully the true nature of the transaction.

Riverside and Witt have been assessed a \$43,000 civil penalty.

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



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News Release

Release No.: 140-13

Contact:
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GIPSA Settles a Case with Washington County Livestock Center, Inc. Resulting in a \$2,500 Penalty

WASHINGTON, Aug. 15, 2013 – 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.

Washington County Livestock Center, Inc., Springfield, Ky. – waived its right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that it operated with a shortage in its custodial account.

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



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News Release

Release No.: 141-13

Contact:
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GIPSA Alleges Powell Livestock, Inc., and Hugh B. Powell, Jr., Violated the Packers and Stockyards Act

WASHINGTON, Aug. 22, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Powell Livestock, Inc. (Powell Livestock) and Hugh B. Powell, Jr. (Powell), of Smithfield, N.C.:

- failed to properly use and maintain its custodial account;
- failed to deposit in the custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable for sales of consigned livestock;
- used the custodial account funds to make payments on their line of credit; and
- designated a Certificate of Deposit as its custodial account but also designated the same account to insure its Trust Fund Agreement in lieu of a Clause 1 Bond.

GIPSA filed a complaint against Powell Livestock and Powell on August 8, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Powell Livestock and Powell may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty.

Powell Livestock under the direction, management, and control of Powell, was engaged in the business of a dealer buying and selling livestock in commerce; as a market agency buying and selling livestock in commerce on a commission basis; and is registered with the Secretary of Agriculture.

Powell was president, sole owner and responsible for the direction, management and control of Powell Livestock. He was engaged in the business of conducting and operating Powell Livestock, engaged in the business of a dealer buying and selling livestock in commerce; engaged in the business of a market agency buying and selling livestock on a commission basis in commerce; and is registered with the Secretary of Agriculture.

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



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News Release

Release No.: 142-13

Contact:
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GIPSA Alleges Jason T. Glenn, Dustin Burkhart, Amy Burkhart, d/b/a B&G Cattle Violated the Packers and Stockyards Act

WASHINGTON, Aug. 22, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jason T. Glenn (Glenn), Dustin Burkhart, Amy Burkhart, doing business as B&G Cattle, Paso Robles, Calif.:

- purchased livestock and failed to pay, when due, the full purchase price for the livestock purchased;
- engaged in the business of a dealer buying and selling livestock in commerce without being registered with the Secretary of Agriculture and without maintaining an adequate bond or bond equivalent; and
- failed to keep and maintain complete and accurate records related to the date of checks issued as payment for livestock purchases.

GIPSA filed a complaint against Glenn, Dustin and Amy Burkhart on May 23, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Glenn, Dustin and Amy Burkhart may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Glenn, Dustin and Amy Burkhart are partners who conducted business as B&G Cattle, an unregistered partnership, and were engaged in the business of dealers buying and selling livestock in commerce; a dealer; and not registered with the Secretary of Agriculture. Glenn was also individually engaged in the business of a dealer buying and selling livestock in commerce; and a market agency buying and selling livestock in commerce on a commission basis; a dealer; a market agency; and is registered with the Secretary of Agriculture.

Dustin Burkhart was also individually engaged in the business of a market agency buying and selling livestock in commerce on a commission basis; a market agency; and is registered with the Secretary of Agriculture.

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News Release

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Contact:
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David Byrd, d/b/a DB Cattle Co., d/b/a AD Byrd Cattle Has Been Assessed a \$50,925 Civil Penalty

WASHINGTON, Aug. 22, 2013 – On March 21, 2013, the U.S. Department of Agriculture issued a decision against David Byrd, doing business as DB Cattle Co., and doing business as AD Byrd Cattle, Cache, Okla., which became final and effective August 12, 2013.

David Byrd was ordered to cease and desist from:

- failing to pay and failing to pay, when due, the full purchase price of livestock;
- failing to have and maintain sufficient funds on deposit and available in the account upon which checks for livestock purchases are drawn to pay them when presented;
- buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent; and
- engaging in any business subject to the Packers and Stockyards (P&S) Act without being registered with the Packers and Stockyards Program (P&SP).

David Byrd has been assessed a \$50,925 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.: 144-13

Contact:
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Tony E. Lyon, d/b/a Lyon Farms Has Been Assessed a \$153,000 Civil Penalty

WASHINGTON, Aug. 22, 2013 – On May 30, 2013, the U.S. Department of Agriculture issued a decision against Tony E. Lyon (Lyon), doing business as Lyon Farms, Perrin, Texas, which became final and effective August 9, 2013.

Lyon was ordered to cease and desist from:

- failing to pay and failing to pay, when due, the full purchase price of livestock purchased in commerce;
- failing to have and maintain sufficient funds on deposit and available in the account upon which checks for livestock purchases are drawn to pay them when presented;
- buying and selling livestock in commerce without being properly registered with Grain Inspection Packers and Stockyards Administration; and
- buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent.

Lyon has been assessed a \$153,000 civil penalty.

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



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News Release

Release No.: 145-13

Contact:
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GIPSA Settles a Case with High Plains Livestock, LLC, d/b/a Dairy Producers Livestock Auction Resulting in a \$750 Penalty

WASHINGTON, Aug. 22, 2013 – 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.

High Plains Livestock, LLC, d/b/a Dairy Producers Livestock Auction, Portales, N.M. – waived its right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$750 after GIPSA found that it failed to insure accurate livestock weights.

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



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News Release

Release No.: 145-13

Contact:
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GIPSA Alleges Ronald L. Lemons, Ronald L. Lemons Livestock, LLC Violated the Packers and Stockyards Act

WASHINGTON, Aug. 22, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Ronald L. Lemons (Lemons), Ronald L. Lemons Livestock, LLC (Lemons Livestock), Lewisburg, W.Va., purchased livestock and failed to pay, when due, the full purchase price for livestock purchases. Lemons Livestock engaged in the business of a dealer buying and selling livestock in commerce and of a market agency buying livestock in commerce on a commission basis without being properly registered with the Secretary of Agriculture and without maintaining an appropriate bond or bond equivalent.

GIPSA filed a complaint against Lemons and Lemons Livestock on July 25, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Lemons and Lemons Livestock may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty.

Lemons was engaged in the business of a dealer buying and selling livestock in commerce; engaged in the business of a market agency buying livestock in commerce on a commission basis in commerce, is registered with the Secretary of Agriculture; is the sole owner of Lemons Livestock; and is responsible for the day to day direction, management, and control of Lemons Livestock.

Lemons Livestock has been engaged in the business of a dealer buying and selling livestock in commerce; engaged in the business of a market agency buying livestock on a commission basis in commerce; a dealer and a market agency within the mean of and subject to the provisions of the P&S Act; and is not registered with the Secretary of Agriculture.

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



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News Release

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Contact:
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GIPSA Alleges Randy Welter Violated the Packers and Stockyards Act

WASHINGTON, Aug. 29, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Randy Welter (Welter), Holy Cross, Iowa:

- caused to be generated purchase invoices with false information; and
- collected profits as a result of marked-up prices on false purchase invoices and, in some cases, also collected commissions from his customers.

GIPSA filed a complaint against Welter on August 15, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Welter may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

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

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



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News Release

Release No.: 148-13

Contact:
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GIPSA Alleges Bryan Spivey Violated the Packers and Stockyards Act

WASHINGTON, Aug. 29, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Bryan Spivey, Dublin, Texas:

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

GIPSA filed a complaint against Bryan Spivey on April 24, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Bryan Spivey may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and assessed a civil penalty.

Bryan Spivey was engaged in the business of a packer buyer; is registered with the Secretary of Agriculture as a packer buyer; engaged in the business of a dealer buying and selling livestock in commerce; and is not registered or bonded with the Secretary of Agriculture as a dealer to buy and sell 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.: 149-13

Contact:
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GIPSA Settles a Case with Gayle and Arthur Ruggles, Southwest Livestock, LLC, d/b/a Tri-State Livestock Commission Co. Resulting in a \$2,000 Penalty

WASHINGTON, Aug. 29, 2013 – 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.

Gayle and Arthur Ruggles, Southwest Livestock, LLC, d/b/a Tri-State Livestock Commission Co., McCook, Neb. – waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that they had custodial account shortages, misused their custodial account, failed to timely reimburse their custodial account, and did not keep adequate records.

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



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News Release

Release No.: 150-13

Contact:
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Ronald L. Lemons, Ronald L. Lemons Livestock, LLC Have Been Assessed a \$10,000 Civil Penalty

WASHINGTON, Sept. 12, 2013 – On August 21, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Ronald L. Lemons (Lemons), Ronald L. Lemons Livestock, LLC (Lemons Livestock), Lewisburg, W.Va.

Lemons and Lemons Livestock have been ordered to cease and desist from:

- failing to pay and failing to pay, when due, the full purchase price for livestock purchases;
- buying and selling livestock in commerce without being properly registered with GIPSA; and
- buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent.

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

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



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News Release

Release No.: 151-13

Contact:
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Justin Turner Has Been Assessed a \$18,000 Civil Penalty

WASHINGTON, Sept. 12, 2013 – On August 22, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Justin Turner, Arabi, Ga.

Justin Turner has been ordered to cease and desist from:

- marking up livestock prices without authorization and collecting undisclosed profits based on the marked up prices beyond authorized commissions;
- engaging in any act, practice, or course of business for the purpose of obtaining money from the purchasers of livestock by false or deceptive pretenses, or which operates or would operate as fraud or deceit upon any person in connection with the purchase or sale of livestock;
- generating or causing to be generated false or misleading records in connection with his activities subject to the Packers and Stockyards (P&S) Act, including, but not limited to purchase invoices and accounts of sale that listed livestock as being purchased or consigned under false names; purchase invoices and accounts of sale that falsely represented that livestock had been resold at the market where the livestock had been purchased earlier in the same day; and purchase invoices that listed purchase prices for livestock that were higher than the actual purchase prices;
- failing to transmit or deliver to the purchaser of livestock a true written account of the purchase;
- failing to operate in compliance with section 201.44 of the Regulations;
- making, issuing, or circulating any false or misleading records concerning the prices or sale of livestock; and
- failing to operate in compliance with section 201.53 of the Regulations.

Justin Turner has been ordered to keep and maintain accounts, records, and memoranda that fully and correctly disclose the true nature of all transactions involved in his business. He has also been assessed a civil penalty in the amount of \$18,000.

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.: 152-13

Contact:
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Jerry Stokes, d/b/a Jerry Stokes Cattle Has Been Assessed a \$7,000 Civil Penalty

WASHINGTON, Sept. 12, 2013 – On August 2, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration entered into a consent decision with Jerry Stokes (Stokes), doing business as Jerry Stokes Cattle, Garrison, Texas.

Stokes has been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock purchases.

Stokes has also been assessed a civil penalty in the amount of \$7,000. Four thousand of this civil penalty will be held in abeyance for a period of one year, providing he does not violate the terms of this Order or any provision of the Regulations or Packer and Stockyards (P&S) Act during this period. If Stokes, after the opportunity for a hearing, is found to have violated the terms of this order or any provisions of the Regulations or P&S Act during this period, then the \$4,000 becomes due and payable. If, after the expiration of this one year time period, Stokes has not violated this Order or committed any new violations of the P&S Act or the Regulations, then he will not be obligated to pay the \$4,000 of the 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.: 153-13

Contact:
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GIPSA Alleges James Steven Kemp Violated the Packers and Stockyards Act

WASHINGTON, Sept. 12, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that James Steven Kemp (Kemp), Pleasant Shade, Tenn., failed to pay, when due, the full purchase price for livestock.

GIPSA filed a complaint against Kemp on August 8, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Kemp may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

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

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



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News Release

Release No.: 154-13

Contact:
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GIPSA Charles Delbert Cole, II, d/b/a Weston Livestock Marketing Violated the Packers and Stockyards Act

WASHINGTON, Sept. 12, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Charles Delbert Cole (Cole), II, doing business as Weston Livestock Marketing, Weston, W.Va.:

- failed to deposit in the custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable for sales of consigned livestock, due in part to his misuse of shippers’ funds in the custodial account to pay for other expenses; and
- failed to properly use and maintain his custodial account.

GIPSA filed a complaint against Cole on July 30, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Cole may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

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

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



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News Release

Release No.: 155-13

Contact:
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GIPSA Alleges Weldon Glidewell, d/b/a Mineral Wells Stockyards Company Violated the Packers and Stockyards Act

WASHINGTON, Sept. 12, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Weldon Glidewell (Glidewell), doing business as Mineral Wells Stockyards Company, Mineral Wells, Texas:

- failed to reimburse the custodial account for his own purchases under the names of Price Chapel Farms and Mineral Wells Stockyards, within the time prescribed by the regulations, an amount equal to the proceeds receivable from the sale of consigned livestock and to the withdrawal of bank fees/charges from his custodial account;
- failed to reimburse the custodial account for bank charges for overdraft fees and returned check fees;
- failed to pay, when due, the full purchase price for livestock purchases.

GIPSA filed a complaint against Glidewell on August 8, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Glidewell may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty.

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

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



Grain Inspection,
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Stockyards Administration
STOP 3601
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Washington, D.C. 20250-3601
Web: www.gipsa.usda.gov

News Release

Release No.: 156-13

Contact:
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GIPSA Alleges Daniel Ault and Carrie Ault, d/b/a Strawtown Livestock Auction, LLC Violated the Packers and Stockyards Act

WASHINGTON, Sept. 12, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration has found evidence that Daniel Ault and Carrie Ault, doing business as Strawtown Livestock Auction, LLC (Strawtown), Noblesville, Ind.:

- misused shippers’ funds in the custodial account to pay for bank charges and other expenses;
- failed to deposit before the close of the next business day, an amount equal to the proceeds receivable from the sale of livestock;
- issued approximately 21 insufficient funds checks in payment for livestock consigned to them for sale; and
- failed to maintain records which fully and correctly disclosed all transactions involved in their business.

GIPSA filed a complaint against Daniel and Carrie Ault on August 27, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Daniel and Carrie Ault may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Strawtown was wholly owned by Daniel and Carrie Ault; under the direction, management, and control of Daniel and Carrie Ault; engaged in the business of conducting and operating a posted stockyard subject to the P&S Act; engaged in the business of a market agency selling livestock on a commission basis in commerce and was registered with the Secretary of Agriculture. Strawtown was administratively dissolved on March 14, 2013, and no longer operates.

Daniel Ault was 50% owner of Strawtown and responsible for the direction, management and control of Strawtown; engaged in the business of conducting and operating Strawtown; engaged in the business of a dealer buying and selling livestock in commerce; registered as a dealer to buy and sell livestock in commerce under the name of Daniel Ault, doing business as Dwault Livestock.

Carrie Ault was 50% owner of Strawtown and responsible for the direction, management, and control of Strawtown; engaged in the business of conducting and operating Strawtown; and engaged in the business of a market agency selling livestock on a commission basis in commerce.

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



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News Release

Release No.: 157-13

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

WASHINGTON, Sept. 12, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that David Mosner (Mosner), Bronx, N.Y., purchased livestock and failed to pay, when due, the full purchase price for the livestock.

GIPSA filed a complaint against Mosner on July 30, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Mosner may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and/or assessed a civil penalty.

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

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



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News Release

Release No.: 158-13

Contact:
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Al-Houda Meat Market, Inc. Has Been Assessed a \$4,000 Civil Penalty

WASHINGTON, Sept. 12, 2013 – On August 22, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Al-Houda Meat Market, Inc. (Al-Houda), Dearborn, Mich.

Al-Houda has been ordered to cease and desist from operating as a packer subject to the Packers and Stockyards (P&S) Act without maintaining and filing an adequate bond or bond equivalent, as required by the P&S Act and regulations.

Al-Houda has also been assessed a civil penalty in the amount of \$4,000.

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



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News Release

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Contact:
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News Release

Release No.: 160-13

Contact:
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GIPSA Alleges Michael Allen Hatcher Violated the Packers and Stockyards Act

WASHINGTON, Sept. 19, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Michael Allen Hatcher (Hatcher), Columbia, Ky.:

- purchased livestock and without entering into a credit agreement with the livestock sellers failed to pay, when due, the full purchase price to the livestock sellers; and
- issued an insufficient funds check in payment for livestock.

GIPSA filed a complaint against Hatcher on August 8, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Hatcher may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Hatcher was engaged in the business of a dealer buying and selling livestock in commerce for his own account; engaged in the business of a market agency buying livestock in commerce on a commission basis; and 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.: 161-13

Contact:
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GIPSA Alleges Gary H. Luck, d/b/a Luck's Livestock Violated the Packers and Stockyards Act

WASHINGTON, Sept. 19, 2013 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gary H. Luck (Luck), doing business as Luck's Livestock, Hartsville, S.C., engaged in the business of a dealer without maintaining an adequate bond or its equivalent as required by the Packers and Stockyards (P&S) Act and regulations.

GIPSA filed a complaint against Luck on August 27, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Luck may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty.

Luck was engaged in the business of a dealer buying and selling livestock in commerce for his own account and for the accounts 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.: 162-13

Contact:
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Lincoln Provision, Inc. Has Been Assessed a \$5,000 Civil Penalty

WASHINGTON, Sept. 19, 2013 – On September 6, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Lincoln Provision, Inc. (Lincoln Provision), Chicago, Ill.

Lincoln Provision has been ordered to cease and desist from failing to pay, when due, the full purchase price for livestock purchases.

Lincoln Provision 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.: 163-13

Contact:
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F&F Farms & Cattle, Inc. and Todd Fortner Have Been Assessed a \$15,000 Civil Penalty

WASHINGTON, Sept. 19, 2013 – On September 6, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with F&F Farms & Cattle, Inc. (F&F Farms) and Todd Fortner (Fortner), Kite, Ga.

F&F Farms and Kite have been ordered to cease and desist from:

- marking up livestock prices without authorization and collecting undisclosed profits based on the marked up prices beyond authorized commissions;
- engaging in any act, practice, or course of business for the purpose of obtaining money from the purchasers of livestock by false or deceptive pretenses, or which operates or would operate as a fraud or deceit upon any person in connection with the purchase or sale of livestock;
- generating or causing to be generated, false or misleading records in connection with their activities subject to the Packers and Stockyards (P&S) Act, including, but not limited to:
 - purchase invoices and accounts of sale that falsely represent that livestock has been resold through the ring at a livestock market when such livestock has not in fact been resold through the ring at that livestock market;
 - purchase invoices and accounts of sale that list fabricated prices for livestock;
 - purchase invoices and accounts of sale that list fabricated weights for livestock;
 - purchase invoices that list purchase prices for livestock that are higher than the actual purchase prices; and

- accounts of sale that falsely represent that livestock has been consigned to a livestock market and sold through the ring at that livestock market, when such livestock has not in fact been consigned nor sold through the ring at that livestock market.
- failing to provide to the purchaser of livestock a true and accurate written account of all livestock purchases;
- failing to otherwise operate in compliance with section 201.44 of the Regulations;
- making, issuing, or circulating any false or misleading record concerning the prices of sale of livestock;
- failing to otherwise operate in compliance with section 201.53 of the Regulations;
- failing to base the payment of livestock on the actual weight of the livestock in accordance with section 201.55 of the Regulations; and
- failing to otherwise operate in compliance with section 201.55 of the Regulations.

F&F Farms and Fortner have been ordered to keep and maintain accounts, records, and memoranda that fully and correctly disclose the true nature of all transactions involved in their business. They have also been assessed a civil penalty in the amount of \$15,000.

F&F Farms is suspended as a registrant under the P&S Act for a period of 7 days to start on the effective date of this Order.

Fortner is prohibited from registering subject to the P&S Act for a period of 7 days to start on the effective date of this Order.

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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Celivo “Nick” Farinella, d/b/a Farinelli Enterprises and Wild Rose Ranch Has Been Assessed a \$2,000 Civil Penalty

WASHINGTON, Sept. 19, 2013 – On August 16, 2013, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Celivo “Nick” Farinelli (Farinelli), doing business as Farinelli Enterprises and Wild Rose Ranch, Le Grand, Calif.

Farinelli has been ordered to cease and desist from:

- failing to pay, when due, the full purchase price for livestock purchases; and
- issuing checks in payment for livestock purchases without having and maintaining sufficient funds on deposit and available in the accounts upon which they are drawn to pay such checks when presented.

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

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



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News Release

Release No.: 165-13

Contact:
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GIPSA Settles a Case with Tim Lee Moore Resulting in a \$750 Penalty

WASHINGTON, Sept. 19, 2013 – 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.

Tim Lee Moore, Brooklyn, Mich. – waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$750 after GIPSA found that he failed to pay, when due, for livestock purchases.

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



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News Release

Release No.: 166-13

Contact:
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Monty Witt Has Been Assessed a \$8,500 Civil Penalty

WASHINGTON, Sept. 27, 2013 – On August 6, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Monty Witt (Witt), Falls City, Neb.

Witt has been ordered to cease and desist from:

- generating or causing to be generated, false or misleading records in connection with his activities subject to the Packers and Stockyards (P&S) Act, including, but not limited to purchase invoices that list purchase prices for livestock that are different than the actual purchase prices; and
- failing to provide to the purchaser of livestock a true and accurate written account of all livestock purchases.

Witt has been ordered to keep and maintain accounts, records, and memoranda that fully and correctly disclose the true nature of all transactions involved in his business. He has also been assessed a civil penalty in the amount of \$8,500.

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



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News Release

Release No.: 167-13

Contact:
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Tina Stockyards, LLC, Carl Jacob Auer, and Heather Auer Have Been Assessed a \$7,000 Civil Penalty

WASHINGTON, Sept. 27, 2013 – On August 29, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Tina Stockyards, LLC (Tina Stockyards), Carl Jacob Auer (Carl Auer), and Heather Auer, Tina, Mo.

Tina Stockyards and Carl Auer have been ordered to cease and desist from issuing accounts of sale that fail to provide a true and complete written account of sale as required by the Regulations and Packers and Stockyards (P&S) Act.

They have also been assessed a civil penalty in the amount of \$7,000.

The complaint against Heather Auer has been dismissed with prejudice.

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



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News Release

Release No.: 168-13

Contact:
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Gary Wayne Tuttle Has Been Ordered to Cease and Desist from Failing to Pay And Assessed a \$5,000 Civil Penalty

WASHINGTON, Oct. 23, 2013 – On August 6, 2013, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Gary Wayne Tuttle (Tuttle), Greensboro, N.C.

Tuttle has been ordered to cease and desist from failing to pay, when due, the full amount of the purchase price for livestock purchases.

As of June 20, 2013, Tuttle owes Carolina Stockyards Co., of Siler City, N.C., \$15,780 for livestock purchases. Tuttle has been ordered to pay this balance in full in accordance with the terms and conditions of the payment plan between Carolina Stockyards Co. and Tuttle dated June 21, 2013.

Tuttle has been assessed a \$5,000 civil penalty which will be held in abeyance provided Carolina Stockyards Co. is paid in full.

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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Contact:
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Gary Fulton Has Been Assessed a \$5,000 Civil Penalty

WASHINGTON, Oct. 23, 2013 – On August 29, 2013, Grain Inspection, Packers and Stockyards Administration (GIPSA), an agency of the U.S. Department of Agriculture, entered into a consent decision with Gary Fulton (Fulton), Lewistown, Ill.

Fulton has been ordered to cease and desist from failing to pay, when due, the full purchase price of livestock.

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

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News Release

Release No.: 170-13

Contact:
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Don Harris Buying Station, Inc., Don Harris and Nancy Harris Have Been Assessed a \$17,500 Civil Penalty

WASHINGTON, Oct. 23, 2013 – On May 13, 2013, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Don Harris Buying Station, Inc., Don Harris and Nancy Harris, Jerome, Idaho. Don Harris Buying Station, Inc., Don Harris and Nancy Harris have been ordered to cease and desist from:

- failing to pay, when due, the full purchase price of livestock; and
- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit.

Don Harris Buying Station, Inc., Don Harris and Nancy Harris (respondents) have been assessed a \$17,500 civil penalty. Fifteen thousand dollars of this civil penalty will be held in abeyance provided the respondents comply with the cease and desist provision set forth and the payment of \$2,500. The \$15,000 held in abeyance will be set aside upon successful compliance with the terms of this Order and the “Understanding Regarding Consent Decision.” Full restitution must be made one year from the consent decision or the full civil penalty will be immediately due and payable.

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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Contact:
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GIPSA Settles a Case with Carefree Meats, LLC Resulting in a \$3,500 Penalty

WASHINGTON, Oct. 23, 2013 – 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.

Carefree Meats, LLC, Phoenix, Ariz. – waived its right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$3,500 after GIPSA found that it failed to pay, when due, for livestock purchases.

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



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News Release

Release No.: 172-13

Contact:
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GIPSA Alleges Jeremy T. Byrd, d/b/a T Byrd Cattle Co. Violated the Packers and Stockyards Act

WASHINGTON, Oct. 23, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Jeremy T. Byrd (Byrd), doing business as T Byrd Cattle Co. (T Byrd Cattle), Grapeland, Texas:

- purchased livestock and failed to pay, when due, the full amount of the livestock purchases; and
- engaged in the business of a market agency or dealer purchasing and selling livestock in commerce without maintaining a bond or bond equivalent.

GIPSA filed a complaint against Byrd on September 18, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Byrd may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty. Byrd was president and 100% owner of T Byrd Cattle and responsible for the direction, management, and control of T Byrd Cattle.

T Byrd Cattle, under the direction, management and control of Byrd was engaged in the business of a market agency buying livestock on a commission basis in commerce; also engaged in the business of a dealer buying and selling livestock in commerce; and is registered with the Secretary of Agriculture.

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Contact:
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GIPSA Alleges Martin D. Yoder, d/b/a Martin D. Yoder Livestock, Ltd., Robert Butzer & Sons, Inc., Robert W. Schenk, Jeffrey L. Gorr, Sr., Merlin L. Garver, Inc., Merlin Jan Garver and Kenneth and Carol Mezurek, d/b/a Mezurek Livestock Violated the Packers and Stockyards Act

WASHINGTON, Oct. 29, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Martin D. Yoder, doing business as Martin D. Yoder Livestock, Ltd. (Yoder), Kidron, Ohio; Robert Butzer & Sons, Inc. (Butzer), Orrville, Ohio; Robert W. Schenk (Schenk), Ann Arbor, Mich.; Jeffrey L. Gorr, Sr. (Gorr), Monroe, Mich.; Merlin L. Garver, Inc. (Garver Inc.), Wooster, Ohio; Merlin Jan Garver (Merlin Garver), Wooster, Ohio; and Kenneth and Carol Mezurek, doing business as Mezurek Livestock (Mezurek Livestock), Grafton, Ohio:

- all respondents agreed to alternate bids on livestock; and
- committed unfair and deceptive practices.

GIPSA filed a complaint against Yoder, Butzer, Schenk, Gorr, Garver Inc., Merlin Garver, and Mezurek Livestock on September 18, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Yoder, Butzer, Schenk, Gorr, Garver Inc., Merlin Garver, and Mezurek Livestock may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Yoder is engaged in the business of a dealer, buying and selling livestock in commerce for its own account and is registered with the Secretary of Agriculture.

Butzer engaged in the business of a dealer, buying and selling livestock for its own account and is registered with the Secretary of Agriculture. Robert Butzer is now deceased.

Schenk is engaged in the business of a dealer, buying and selling livestock in commerce for his own account or the account of others, engaged in the business of a market agency

buying livestock in commerce on commission, and is registered with the Secretary of Agriculture.

Gorr is engaged in the business of a dealer, buying and selling livestock in commerce for his own account or the account of others, engaged in the business of a market agency buying livestock on a commission basis, is registered with the Secretary of Agriculture, and is an agent of Schenk, purchasing livestock on a commission basis.

Garver Inc. is engaged in the business of a dealer, buying and selling livestock in commerce for its own account or the account of others and is registered with the Secretary of Agriculture.

Merlin Garver is the 100% owner and president of Garver Inc., is responsible for the direction, management, and control of Garver Inc., and engaged in the business of a dealer buying and selling livestock in commerce for his own account or the account of others.

Mezurek Livestock is engaged in the business of a dealer buying and selling livestock in commerce for its own account, is registered with the Secretary of Agriculture, and is an agent of Garver Inc. and Merlin Garver, purchasing livestock on a commission basis.

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Release No.: 174-13

Contact:
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GIPSA Alleges Troy O. Moore, d/b/a Stephenville Cattle Company and TM Cattle Company Violated the Packers and Stockyards Act

WASHINGTON, Oct. 29, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Troy O. Moore (Moore), doing business as Stephenville Cattle Company and TM Cattle Company, Stephenville, Texas:

- purchased livestock and failed to pay, when due, for livestock purchases; and
- failed to provide bank statements to auditors of the Packers and Stockyards Program.

GIPSA filed a complaint against Moore on September 18, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Moore may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty.

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

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



Grain Inspection,
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STOP 3601
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News Release

Release No.: 175-13

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges Lynchburg Livestock Market, Inc., C. Matthew Fariss and Duane D. Gilliam Violated the Packers and Stockyards Act

WASHINGTON, Nov. 6, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Lynchburg Livestock Market, Inc. (Lynchburg Livestock), C. Matthew Fariss (Fariss), and Duane D. Gilliam (Gilliam), Lynchburg, Va.:

- sold livestock on commission whose weight was manually recorded at other than their true and correct weights; assessed and collected purchase amounts for livestock from buyers on the basis of the false or incorrect weights; paid sellers of the livestock on the basis of the false or incorrect weights; issued accounts of sale to the sellers of the livestock on the basis of the false or incorrect weights; and
- sold livestock on a weight basis that was weighed on a digital scale. Packers and Stockyards Program personnel observed the digital scale display and then reweighed the livestock. Neither the observed weight nor the check weight matched the manually recorded sale weight.

GIPSA filed a complaint against Lynchburg Livestock, Fariss, and Gilliam on September 18, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Lynchburg Livestock, Fariss, and Gilliam may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Lynchburg Livestock under the direction, management and control of Fariss and Gilliam was engaged in the business of conducting and operating Lynchburg Livestock, a posted stockyard; engaged in the business of a market agency buying and selling livestock in commerce on a commission basis; engaged in the business of a dealer buying and selling livestock in commerce; and is registered with the Secretary of Agriculture.

Fariss and Gilliam were each 50% owners of Lynchburg Livestock; president and vice-president respectively of Lynchburg Livestock, and formulated, directed, and controlled the policies, practices and activities of Lynchburg Livestock, including the acts and practices alleged in this complaint.

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



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News Release

Release No.: 176-13

Contact:
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GIPSA Alleges Victor Leone Violated the Packers and Stockyards Act

WASHINGTON, Nov. 6, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Victor Leone (Leone), New Hartford, N.Y.:

- engaged in business as a dealer without being registered and without maintaining an adequate bond or its equivalent; and
- failed to maintain proper records while acting as a dealer, in that he failed to create and maintain purchase invoices and a cash disbursements journal to fully and correctly disclose all livestock purchase transactions and cash payments for livestock, with a buyer’s card being the only record.

GIPSA filed a complaint against Leone on August 27, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Leone may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and/or assessed a civil penalty.

Leone was engaged in the business of a dealer buying and selling livestock in commerce for his own account; was not registered with the Secretary of Agriculture as a dealer to buy and sell livestock for his own account, and was operating without the required bond.

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



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News Release

Release No.: 177-13

Contact:
Catherine M. Grasso, (202) 720-7201
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GIPSA Alleges David Snell Violated the Packers and Stockyards Act

WASHINGTON, Nov. 6, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that David Snell (Snell), Somerset, Ky.:

- engaged in the business of a dealer without properly registering and filing a bond or bond equivalent; and
- failed to maintain proper records of his livestock purchase transactions as required by the Packers and Stockyards (P&S) Act.

GIPSA filed a complaint against Snell on September 20, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Snell may be ordered to cease and desist from violating the P&S Act, prohibited from registering, and/or assessed a civil penalty.

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

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



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News Release

Release No.: 178-13

Contact:
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Daniel Ault and Carrie Ault, d/b/a Strawtown Livestock Auction, LLC Have Been Suspended as Registrants

WASHINGTON, Nov. 6, 2013 – On October 28, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Daniel Ault and Carrie Ault, doing business as Strawtown Livestock Auction, LLC, Noblesville, Ind.

Daniel and Carrie Ault have been ordered to cease and desist from:

- failing to properly maintain their Custodial Account for Shippers' Proceeds (Custodial Account);
- failing to deposit in their Custodial Account, within the time prescribed in the regulations, an amount equal to the proceeds receivable for sales of consigned livestock;
- allowing funds receivable from the sale of consigned livestock to be used for any purpose other than those specifically permitted in the regulations;
- selling livestock consigned to them for sale and failing to remit to consignors of livestock, when due, the net proceeds received from the sale of the livestock; and
- issuing checks in payment of net proceeds to consignors of livestock without having and maintaining sufficient funds on deposit and available in the Custodial Account.

Daniel and Carrie Ault have been ordered to keep and maintain accounts, records, and memoranda, which fully and correctly disclose the true nature of all transactions involved in their business subject to the Packers and Stockyards (P&S) Act. They have also been suspended only in their capacity as registrants operating in the name of Strawtown Livestock Auction, LLC for 175 days and thereafter until they are in full compliance with the P&S Act.

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



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News Release

Release No.: 179-13

Contact:
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GIPSA Settles a Case with Cookie Coleman Cattle Company, Inc. and Chester D. Coleman Resulting in a \$4,000 Penalty

WASHINGTON, Nov. 6, 2013 – 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.

Cookie Coleman Cattle Company, Inc. and Chester D. Coleman, Texarkana, Texas – waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,000 after GIPSA found that they failed to pay, when due, for livestock purchases.

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



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News Release

Release No.: 180-13

Contact:
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Charles Delbert Cole, II, d/b/a Weston Livestock Marketing Has Been Assessed a \$12,000 Civil Penalty

WASHINGTON, Nov. 13, 2013 – On October 22, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Charles Delbert Cole, II (Cole), doing business as Weston Livestock Marketing, Weston, W.Va.

Cole has been ordered to cease and desist from:

- failing to properly maintain his Custodial Account for Shippers' Proceeds (Custodial Account);
- failing to deposit in the Custodial Account, within the time prescribed in the regulations, an amount equal to the proceeds receivable for sales of consigned livestock; and
- using funds received from the sale of consigned livestock for any purpose other than those specifically permitted in the regulations.

Cole has been assessed a \$12,000 civil penalty.

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



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News Release

Release No.: 181-13

Contact:
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Orange Livestock Market, Inc. and Joseph K. Howell Have Been Assessed a \$72,000 Civil Penalty

WASHINGTON, Nov. 13, 2013 – On July 3, 2013, the U.S. Department of Agriculture issued a default decision against Orange Livestock Market, Inc. (Orange Livestock) and Joseph K. Howell (Howell), Orange, Va., which became final and effective August 7, 2013.

Orange Livestock and Howell were ordered to cease and desist from failing to pay the full amount of the purchase price for livestock before the close of the next business day following each purchase of livestock, as required by the Packers and Stockyards (P&S) Act.

Orange Livestock and Howell were suspended as registrants under the P&S Act for 30 days and assessed a \$72,000 civil penalty.

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



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News Release

Release No.: 182-13

Contact:
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Paul E. Gibson, Jr., d/b/a G&S Livestock Co. Has Been Ordered to Cease and Desist

WASHINGTON, Nov. 13, 2013 – On August 6, 2013, the U.S. Department of Agriculture issued a default decision against Paul E. Gibson, Jr. (Gibson), doing business as G&S Livestock Co., Linton, Ind., which became final and effective November 4, 2013.

Gibson has been ordered to cease and desist from:

- failing to pay the full purchase price for livestock purchases;
- failing to pay, when due, the full purchase for livestock purchases; and
- operating without registration and a bond or bond equivalent.

Gibson is prohibited from being registered or engaging in any capacity for which registration and bonding is required under the Packers and Stockyards (P&S) Act for 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.: 183-13

Contact:
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Premier Poultry, Inc. Has Been Assessed a Civil Penalty In the Amount of \$11,000

WASHINGTON, Nov. 13, 2013 – On November 4, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Premier Poultry, Inc. (Premier), West Bethel, N.Y.

Premier has been ordered to cease and desist from failing to pay growers not in accordance with the Packers and Stockyards (P&S) Act.

Premier has been ordered to pay each live poultry dealer obtaining live poultry by purchase in a cash sale, before the close of the next business day following the purchase of poultry, and each live poultry dealer obtaining live poultry under a poultry growing arrangement, before the close of the 15th day following the week in which the poultry is slaughtered, deliver, to the cash seller or poultry grower from whom such live poultry dealer obtains the poultry, the full amount due to such cash seller or poultry grower on account of such poultry.

Premier has been assessed an \$11,000 civil penalty.

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



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News Release

Release No.: 184-13

Contact:
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Gay H. Luck, d/b/a Luck's Livestock Marketing Has Been Ordered to Cease and Desist

WASHINGTON, Nov. 13, 2013 – On November 5, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Gary H. Luck (Luck), doing business as Luck's Livestock, Hartsville, S.C.

Luck has been ordered to cease and desist from engaging in operations subject to the Packers and Stockyards (P&S) Act without maintaining an adequate bond or bond equivalent as required by the P&S Act.

Luck has been ordered to maintain an adequate bond or bond equivalent for operating as a livestock dealer.

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



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News Release

Release No.: 185-13

Contact:
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GIPSA Settles a Case with F&N, LLC, d/b/a Christiansburg Livestock Market Resulting in a \$1,000 Penalty

WASHINGTON, Nov. 21, 2013 – 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.

F&N, LLC, doing business as Christiansburg Livestock Market, Christiansburg, Va. – waived its right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$1,000 after GIPSA found that it failed to have its scale tests completed from the second half of the year in 2011 and 2012.

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.: 186-13

Contact:
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GIPSA Alleges Leader Meret Halal Meat Corp. and Murat Gumus Violated the Packers and Stockyards Act

WASHINGTON, Nov. 26, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Leader Meret Halal Meat Corp. (Leader) and Murat Gumus, Brooklyn, N.Y.:

- purchased and sold livestock as a packer without a bond under the Packers and Stockyards (P&S) Act;
- purchased livestock and failed to pay, when due, the full purchase price for the livestock: and
- issued checks in payment for livestock purchases which were returned by the bank upon which they were drawn because they did not have and maintain sufficient funds on deposit.

GIPSA filed a complaint against Leader and Murat Gumus on September 30, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Leader and Murat Gumus may be ordered to cease and desist from violating the P&S Act and/or assessed a civil penalty.

Murat Gumus is an individual who served as 100% owner of Leader. Murat Gumus and Leader were 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 operated as a packer.

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



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News Release

Release No.: 187-13

Contact:
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GIPSA Alleges Gary N. “Nelson” Shifflett, Jr., d/b/a Nelson Shifflett Livestock Violated the Packers and Stockyards Act

WASHINGTON, Dec. 4, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Gary N. “Nelson” Shifflett, Jr. (Shifflett), doing business as Nelson Shifflett Livestock, Grottoes, Va., operated as a market agency purchasing livestock in commerce without obtaining the necessary registration and bond as required by the Packers and Stockyards (P&S) Act and the Regulations.

GIPSA filed a complaint against Shifflett on August 6, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Shifflett may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty.

Shifflett was engaged in the business of a market agency buying livestock on commission in commerce under 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.: 188-13

Contact:
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GIPSA Settles a Case with Panola Livestock Enterprise, Inc. and Randy Lowery Resulting in a \$4,000 Penalty

WASHINGTON, Dec. 18, 2013 – 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.

Panola Livestock Enterprise, Inc. and Randy Lowery, Huntington, Texas – waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,000 after GIPSA found that they operated with a shortage in the custodial account.

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



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News Release

Release No.: 189-13

Contact:
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GIPSA Alleges Stacey Roy Long, d/b/a Long Cattle Company, LLC Violated the Packers and Stockyards Act

WASHINGTON, Dec. 18, 2013 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Stacey Roy Long (Long), doing business as Long Cattle Company, LLC, in Mo.:

- engaged in business as a dealer or market agency without being registered and without maintaining an adequate bond or its equivalent;
- purchased livestock and failed to pay, when due, for the livestock purchased; and
- issued checks in payment for livestock purchases which were returned because he did not have and maintain sufficient funds on deposit.

GIPSA filed a complaint against Long on November 5, 2013. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, Long may be ordered to cease and desist from violating the P&S Act and/or assessed a civil penalty.

Long was engaged in the business of a dealer buying and selling livestock in commerce for his own account or as a market agency buying and selling livestock in commerce for accounts of others and is not registered with the Secretary of Agriculture and was operating without a required bond.

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



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News Release

Release No.: 190-13

Contact:
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David Snell Has Been Assessed a \$3,000 Civil Penalty

WASHINGTON, Dec. 18, 2013 – On November 26, 2013, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with David Snell (Snell), Somerset, Ky.

Snell has been ordered to cease and desist from engaging in business as a dealer buying and selling on commission without a bond and registration as required by the Regulations and Packers and Stockyards (P&S) Act.

Snell has also been ordered to keep and maintain accounts, records, and memoranda which fully and correctly disclose the true nature of all transactions involved in his livestock business.

Snell has been assessed a \$3,000 civil penalty.

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



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News Release

Release No.: 191-13

Contact:
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Ricardo Jurado Has Assessed a \$10,000 Civil Penalty

WASHINGTON, Dec. 18, 2013 – On January 13, 2013, the U.S. Department of Agriculture issued a default decision against Ricardo Jurado (Jurado), Raisin City, Calif., which became final and effective March 19, 2013.

Jurado has been ordered to cease and desist from:

- engaging in business in any capacity for which bonding is required without filing and maintaining an adequate bond or its equivalent;
- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit and available in the bank account upon which they are drawn to pay such checks when presented; and
- failing to pay, when due, the full purchase for livestock purchases.

Jurado is prohibited from engaging in business in any capacity for which registration and bonding is required under the Packers and Stockyards (P&S) Act without first becoming properly registered under the P&S Act.

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

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

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.