



Agricultural Marketing Service

Compliance & Enforcement/Appeals Summary

Reporting Period: Fiscal Year (FY) 2018

COMPLIANCE & ENFORCEMENT: OVERALL SUMMARY

| | Q1 (Oct - Dec 2017) | Q2 (Jan - Mar 2018) | Q3 (Apr - Jun 2018) | Q4 (Jul - Sep 2018) | FY 18 Summary |
|--|---------------------|---------------------|---------------------|---------------------|---------------|
| Incoming Complaints | 86 | 104 | 121 | 75 | 386 |
| Incoming Questions/Inquiries ¹ | 34 | 48 | 57 | 44 | 183 |
| Completed Complaint Reviews and Investigations | 93 | 81 | 67 | 97 | 338 |

APPEALS: OVERALL SUMMARY² (For more information, refer to [NOP 4011: Adverse Action Appeal Process](#))

| | | | | | |
|------------------------|----|----|----|---|----|
| Number of Incoming | 13 | 15 | 7 | 9 | 44 |
| Appeals by Disposition | | | | | |
| Decisions | 1 | 5 | 5 | 4 | 15 |
| Dismissals | 0 | 0 | 0 | 0 | 0 |
| Referrals | 0 | 0 | 0 | 0 | 0 |
| Closures ³ | 4 | 6 | 11 | 3 | 24 |

SUMMARY OF INITIAL ACTIONS TAKEN

| | | | | | |
|-------------------------|----|----|----|----|-----|
| Cease & Desist Orders | 7 | 2 | 0 | 2 | 11 |
| Notices of Warning | 26 | 24 | 24 | 21 | 95 |
| Investigation Referrals | 20 | 59 | 35 | 40 | 154 |

SUSPENSIONS AND REVOCATIONS OF OPERATIONS' CERTIFICATION (NOP and CERTIFIER INITIATED)

| | | | | | |
|-------------|-----|-----|-----|-----|-----|
| Suspensions | 135 | 122 | 150 | 141 | 548 |
| Revocations | 6 | 4 | 5 | 1 | 16 |

SUMMARY OF DISPOSITIONS (ALL NOP)

| | | | | | |
|--|----------|----------|---------|---|----------|
| Total: Settlement Agreements ⁴ | 5 | 5 | 0 | 4 | 14 |
| Total: Consent Decisions | 1 | 0 | 0 | 4 | 5 |
| Total: Civil Penalties Levied ⁵ | \$13,750 | \$12,000 | \$5,000 | 0 | \$30,750 |

GENERAL NOTES

- Incoming inquiries with insufficient evidence and/or questions that do not indicate a violation are closed with correspondence.
- Total reflects appeals closed in FY 2018 regardless of when cases were initiated.
- For FY 2018 Q4, one appeal was closed because the certifier and appellant reached a settlement agreement; one appeal was closed because the NOP and the appellant reached a settlement agreement; one appeal was closed because no violation was found.
- Not all settlement agreements include civil penalties and not all civil penalties were levied via settlement agreements.
- Total reflects the amount of penalties initially levied. Amounts may change during negotiation of settlements and individual penalty payments may be outstanding.

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