

WARREN YOUNG AND ERNIE L. KENNEDY AGREE TO CONSENT DECISION

WASHINGTON, Feb. 12, 2002 - Warren Young of Lee, Fla., and Ernie L. Kennedy of Pinetta, Fla. entered into consent decisions with the Grain Inspection, Packers and Stockyards Administration (GIPSA) on Jan. 11, 2002 and Jan. 14, 2002, respectively. Kennedy and Young operated as livestock dealers buying and selling livestock for the account of W.W. Livestock, Inc. of Madison, Fla. Both are registered under the Packers and Stockyards Act (P&S Act) as dealers buying and selling livestock in commerce for their own accounts or the accounts of others, and as market agencies buying livestock in commerce on a commission basis.

Kennedy and Young have admitted to the jurisdictional allegations in an administrative complaint issued on June 29, 2000, but neither admitted nor denied the remaining allegations. They have waived an oral hearing and further procedures, and consented and agreed, for the purpose of settling this proceeding, to the entry of this decision.

Under the terms of the consent decision, Kennedy and Young, in connection with their operations subject to the P&S Act, agreed to stop: (1) selling livestock on false and inflated weights, or any weights other than the original purchase weights of the livestock, or the actual weights determined upon proper reweighing of the livestock; (2) failing to disclose on the accountings issued when livestock is sold, the location and date where the weight is determined, whenever the actual weight used is not obtained, on the date and at the place of transfer of possession; (3) issuing sales invoices or other records containing false or manipulated livestock weights; (4) operating any livestock scale or directing any other person in the operation of the scale, in any manner other than to ensure accurate and correct weights; (5) failing to weigh livestock in accordance with regulations issued under the P&S Act; (6) creating false scale tickets to conceal weight manipulation; and (7) failing to properly use and complete scale tickets in connection with the weighing of livestock as required by regulations issued under the P&S Act.

Kennedy agreed to the suspension of his registration under the P&S Act for a period of five years, and may not be employed by, or act as the agent of, any dealer market agency or packer, in connection with buying, selling, or weighing of livestock, or the preparation of livestock transaction records, while suspended as a registrant.

Young agreed to a suspension of his registration under the P&S Act for five years. Four years of the suspension will be vacated upon a motion filed by Young at the end of the first year, unless GIPSA establishes that Young has violated any provision of this order. Young may not work for, or act as an agent of, any livestock dealer, market agency or meat packer while suspended as a registrant.

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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