

O. WAYNE CLARK AGREES TO CONSENT DECISION

WASHINGTON, Feb. 12, 2002 - On Jan. 14, 2002, W.W. Livestock, Inc. and O. Wayne Clark of Madison, Fla. entered into a consent decision with the Grain Inspection, Packers and Stockyards Administration. Clark is president and sole owner of W.W. Livestock, and is responsible for its direction, management, and control. W.W. Livestock is registered under the Packers and Stockyards Act as a dealer buying and selling livestock in commerce for its own account, or for the accounts of others.

W.W. Livestock and Clark admitted to the jurisdictional allegations in an administrative complaint issued on June 29, 2000. W.W. Livestock and Clark have neither admitted nor denied the remaining allegations. W.W. Livestock and Clark 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, W.W. Livestock and Clark, in connection with their operations subject to Packers and Stockyards 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, individually or jointly, or directing any other person in the operation of any livestock scale, in any manner other than to ensure accurate and correct weights; (5) failing to weigh livestock in accordance with regulations issued under the Packers and Stockyards 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 Packers and Stockyards Act.

W.W. Livestock and Clark agreed to a suspension of their registrations under the Packers and Stockyard Act for five years. Clark may not be employed by, or act as the agent of, any dealer, market agency or packer, in connection with the buying, selling, or weighing livestock, or the preparation of livestock transaction records, while suspended as a registrant. W.W. Livestock and Clark were assessed a civil penalty of \$50,000.00. The civil penalty will be held in abeyance for 18 months, and may be reduced in the amounts of any payments made by W.W. Livestock and Clark to livestock purchasers identified in the complaint during the 18-month¹ period of abeyance.

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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