

## **USDA ISSUES DEFAULT DECISION AGAINST WES MYERS**

WASHINGTON, (April 25, 2002) - On April 15, 2002, the United States Department of Agriculture, (USDA) issued a default decision against Wes Myers of Bozeman, Mont., who is doing business as Wes Myers Livestock of Tribune, Kan. Myers is registered under the Packers and Stockyards Act (P&S Act) as a dealer buying and selling livestock in commerce. Myers also operates as a market agency buying livestock on a commission basis.

The default decision was issued after Myers failed to respond to an administrative complaint issued on June 19, 2001. Failure to answer the complaint constitutes an admission of the allegations stated in the complaint.

Under the terms of the default decision, Myers was ordered to make timely payments of the full purchase price of his livestock purchases as required by the P&S Act. Myers was also ordered to stop issuing checks for livestock on an account that lacked sufficient funds to cover the checks. The order further requires Myers to stop using multiple and deceptive trade names in his livestock business that are not included on his approved registration under the P&S Act. Myers is also required under the order to prepare and maintain records that disclose all transactions involved in his livestock business using only his name or the registered business names.

The order suspends Myers as a registrant under the P&S Act for five years. The order may be modified to permit Myers' salaried employment by another registrant or packer after 150 days of the suspension, if Myers demonstrates circumstances warranting modification. Myers continues to have an unpaid balance for livestock purchases of \$121,657.65. This default decision will become final and effective 35 days after the date of service unless Myers files an appeal.

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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