

GIPSA Complaint Issued Against Topeka Auction & Marketing, Inc. D/B/A Topeka Livestock Auction & Robert Bale

WASHINGTON, March 28, 2003 - On March 18, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Topeka Auction & Marketing, Inc., d.b.a. Topeka Livestock Auction (Topeka) and Robert Bale (Bale) of Topeka, Ind. Topeka is registered under the Packers and Stockyards Act (P&S Act) as a market agency buying and selling livestock on a commission basis and as a dealer buying and selling livestock for their own account. The complaint alleges that Bale is the alter ego of Topeka because Bale is the president and owner of 50 percent of Topeka's stock and is responsible for its direction, management, and control. The complaint further alleges that Topeka and Bale violated the P&S Act by failing to properly maintain Topeka's custodial account (by having deficient funds in the custodial account to pay shippers' proceeds) and by misusing the custodial account.

Topeka and Bale have 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Topeka and Bale may be ordered to stop violating the P&S Act, assessed a civil penalty, and/or suspended as registrants 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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