

Decision Reached In GIPSA's Case Against Topeka Livestock And Robert Bale

WASHINGTON, April 21, 2004 - On Dec. 18, 2003, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a consent decision with Topeka Auction & Marketing Inc., doing business as Topeka Livestock Auction (Topeka), and Robert Bale (Bale), Topeka, Ind. Topeka is registered under the Packers and Stockyards Act (P&S Act) as a dealer and as a market agency buying and selling livestock on a commission basis. Bale, president and 50 percent owner of Topeka, was named in the complaint and is subject to the Dec. 18, 2003 decision.

The consent decision follows a March 18, 2003, administrative complaint filed by GIPSA against Topeka and Bale. The complaint alleged that Topeka and Bale violated the P&S Act by failing to properly maintain Topeka's custodial account (by having insufficient funds in the custodial account to pay shippers' proceeds) and misusing the custodial account.

The consent decision orders Topeka and Bale to properly maintain Topeka's custodial account and to stop misusing custodial account funds. Topeka and Bale were assessed a civil penalty of \$30,000.

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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Leah Tahiry (202) 720-4998
Leah.P.Tahiry@usda.gov