

## **GIPSA Issues a Complaint Against Muenster Livestock Auction Commission, Inc., and Scotty Austin**

WASHINGTON, March 9, 2006 - On February 22, 2006, Grain Inspection, Packers and Stockyards Administration filed a complaint against Muenster Livestock Auction Commission, Inc. Muenster, Texas, and Scotty Austin, Valley View, Texas. Muenster was engaged in the business of selling livestock in commerce on a commission basis under the name Muenster Livestock Commission, Muenster, Texas; selling livestock in commerce on a commission basis under the name Bowie Livestock Commission, Bowie Texas; and is registered as a market agency selling on commission. Austin is President; fifty-one percent owner of Muenster; managed, directed, and controlled the daily operations of Muenster both as Muenster Livestock Commission and as Bowie Livestock Commission; a market agency selling livestock in commerce on a commission basis; and is not individually registered with the Secretary of Agriculture in any capacity under the Packers and Stockyards (P&S) Act.

GIPSA alleges that Muenster, under the direction, management, and control of Austin, failed to maintain and use properly its custodial accounts for shippers' proceeds endangering the faithful and prompt accounting and the payment of portions due the owners and consignors of livestock; failed to deposit in custodial accounts for shippers' proceeds within the time prescribed by the regulations; failed to keep and maintain records that fully and correctly disclosed all transaction in the business subject to the P&S Act; and willfully prepared and maintained false records to disguise the custodial account misuse.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Respondents may be ordered to cease and desist from violating the P&S Act, suspended as registrants under the P&S Act, and assessed a civil penalty.

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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