

Consent Decision Reached in GIPSA's Case Against Beeville Livestock Commission, Inc. and W.E. Butler

WASHINGTON, August 21, 2006 - On August 2, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a consent decision with Beeville Livestock Commission, Inc. (Beeville) and W.E. Butler (Butler), Beeville, Texas. Butler is the president of Beeville and responsible for the management, direction, and control of Beeville's operations. Beeville is a market agency selling livestock on a commission basis and registered as such with the Secretary of Agriculture.

The decision follows a complaint issued on December 1, 2004, in which GIPSA alleged that Beeville and Butler violated the Packers and Stockyards Act and regulations. In the complaint, GIPSA alleged Beeville and Butler failed to timely deposit into their custodial account an amount equal to the proceeds receivable from the sale of consigned livestock. GIPSA also alleged Beeville and Butler issued NSF checks; and withdrew commissions and yardage fees from their custodial account while the account was short of funds.

Under the terms of the consent decision Beeville and Butler agreed to cease and desist failing to timely deposit into the custodial account an amount equal to the proceeds receivable from the sale of consigned livestock. Beeville and Butler also agreed to cease and desist from misusing the custodial account by making unlawful withdrawals and transfers.

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.

GIPSA Release #67-06

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