

Beyer & Funderburgh, LTD., dba ABF Packing, Ltd., and Erath County Dairy Sales, Inc., and Pecos Valley Dairy Sales, Inc., and Jimmy J. "Jason" Beyer and Dennis L. Funderburgh and Jimmy G. "Jim" Beyer are Charged with Multiple Violations of the Packers and Stockyards Act

WASHINGTON, Nov. 30, 2009 - On November 10, 2009, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) resolved allegations of anti-competitive behavior in the livestock industry by entering into a decision without hearing by reason of consent with Beyer & Funderburgh, Ltd., doing business as ABF Packing, Ltd., Dublin, Texas; and Jimmy J. "Jason" Beyer and Dennis L. Funderburgh, Stephenville, Texas; Erath County Dairy Sales, Inc., and Jimmy G. "Jim" Beyer, Dublin, Texas; and Pecos Valley Dairy Sales, Dexter, New Mexico.

Beyer & Funderburgh, Ltd., doing business as ABF Packing, Ltd. and Jimmy J. "Jason" Beyer and Jimmy J. "Jason" Beyer and Dennis L. Funderburgh are ordered to cease and desist from:

- having an ownership interest in, financing or participating in the management or operation of a market agency selling livestock on a commission basis;
- purchasing livestock for resale without being registered and bonded with the Secretary of Agriculture; and
- failing to conduct their buying operation independently of packers who are buying the same classes of livestock.

Erath County Dairy Sales, Inc. And Jimmy G. "Jim" Beyer have been ordered to cease and desist from permitting a packer to have an ownership interest in, finance, or participate in the management or operation of such market agency.

Pecos Valley Dairy Sales, Inc., and Jimmy G. "Jim" Beyer have been ordered to cease and desist from purchasing livestock at Pecos Valley Dairy Sales, Inc., without disclosing on the account of sale the name of the buyer and nature of the relationship existing between n Pecos Valley Dairy Sales, Inc., and the buyer.

Beyer and Funderburgh, LTD doing business as ABF Packing, Ltd., Jimmy J. "Jason" Beyer and Dennis Funderburgh are assessed a civil penalty in the amount of \$10,750.

Erath County Dairy Sales, Inc., and Jimmy G. "Jim" Beyer are assessed a civil penalty in the amount of \$825.

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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GIPSA Release 87-09

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