

GIPSA Press Release

United States
Department of
Agriculture

Grain Inspection,
Packers and
Stockyards
Administration

STOP 3601
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Washington, D.C.
20250-3601

GIPSA Release 102-11

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GIPSA Alleges Mike Whitfield, N.B. Hutchinson, Jr. and Pete Pingrey, dba Gowan Stockyards Violated the Packers and Stockyards Act

WASHINGTON, Oct. 27, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that Mike Whitfield, N.B. Hutchinson, Jr., and Pete Pingrey (the respondents), doing business as Gowan Stockyards, Kosciusko, Miss., violated the Packers and Stockyards (P&S) Act.

The complaint alleged the respondents, doing business as Gowan Stockyards:

- failed to maintain and properly use their custodial account for shippers’ proceeds;
- had multiple custodial account shortages;
- failed to designate their custodial bank account as “Custodial Account for Shippers’ Proceeds” or an equivalent identifying designation on their banking account statements and checks to disclose that the depositor was acting as a fiduciary and that the funds in the account were trust funds;
- permitted approximately \$13,185.29 in bank fees to be charged to their custodial account; and
- used custodial account funds to repay loans from respondent N.B. Hutchinson, Jr., in the amounts of \$8,500 and \$9,250, respectively.

GIPSA has received an application for registration to operate the Gowan Stockyards market by the partnership of Shirley Dance, Respondents Mike Whitfield, N.B. Hutchinson, Jr., and Pete Pingrey. The complaint includes an order to show cause why this application for registration should not be denied because of the facts alleged in the pending complaint.

GIPSA filed a [complaint](#) against the respondents on October 19, 2011. If the allegations are admitted, or proven in an oral hearing, the respondents may be ordered to cease and desist from violating the P&S Act, suspended, and/or assessed a civil penalty.

Gowan Stockyards

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Respondent's Whitfield, Hutchinson, and Pingrey were engaged in the business of conducting and operating Gowan Stockyards; engaged in the business of buying and selling livestock in commerce on a commission basis and buying and selling livestock in commerce for their own account; and are registered with the Secretary of Agriculture.

Shirley Dance is not currently registered with the Secretary of Agriculture, but has an application for registration that is pending.

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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