

GIPSA Enforcement Action

United States
Department of
Agriculture

Grain Inspection,
Packers and
Stockyards
Administration

STOP 3601
1400 Independence Ave., SW
Washington, D.C.
20250-3601

GIPSA Release 110-11

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GIPSA Settles Cases Resulting in \$17,160 in Civil Penalties

WASHINGTON, Nov. 17, 2011 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration’s (GIPSA) enforcement rules provide a mechanism to quickly resolve violations of the Packers and Stockyards (P&S) Act. GIPSA may offer an alleged violator the option of waiving their right to a hearing and entering into a stipulation agreement to quickly resolve alleged violations.

GIPSA settled cases resulting in \$17,160 in civil penalties.

AMVC Management Services, LLC, Audubon, Iowa -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$4,000 after GIPSA found that in their swine production contracts they did not disclose the grower’s right to cancel the contract, including the method and dealing for cancellation, and contain an “Addition Capital Investments Disclosure Statement.”

Oak Lake Cattle Co., Inc., I.E. Byrd, President, Okeechobee, Fla. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$825 after GIPSA found that they failed to timely pay, when due, for livestock purchases.

Barney M. Gibson, Statesville, N.C. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,585 after GIPSA found that he failed to timely pay, when due, for livestock purchases.

Shannon Davis, Winnsboro Livestock Commission, Inc., dba Winnsboro Livestock & Dairy Auction, Winnsboro, Texas -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that they operated as a market agency selling livestock on commission with shortages in the market’s Custodial Account for Shippers Proceeds on two occasions in April in May of 2110.

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Randall Reynolds, dba Geneva-Berne Salebarn, Geneva, Ind. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that he charged a per head fee and changed the price per pound when buying cattle on a carcass basis.

Holden Farms, Inc., New Ulm, Minn. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,500 after GIPSA found that they failed to comply with contractual requirements.

Randy R. Wientjes, dba Brookport Cattle Co., Metropolis, Ill. -- waived his right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$2,000 after GIPSA found that he failed to pay, when due, for livestock purchases on 14 occasions and failed to maintain all sales invoices and adequate records to trace livestock from purchase to sale.

Decker's Livestock, Inc., Milford, Ill. -- waived their right to a hearing, entered into a stipulation agreement, and agreed to pay a penalty of \$750 after GIPSA found that they used unfair and captive tariff practices.

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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