

**GIPSA
Press
Release**

United States
Department of
Agriculture

Grain Inspection,
Packers and
Stockyards
Administration

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

GIPSA Release 62-12

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**Fred J. Berger, Ltd., dba Berger Cattle Company, and Fred J. Berger Have
Been Assessed a Civil Penalty In the Amount of \$14,000**

WASHINGTON, Mar. 8, 2012 – On February 27, 2012, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Fred J. Berger, Ltd., doing business as Berger Cattle Company and Fred J. Berger (the respondents), Mandan, N.D.

The respondents were ordered to cease and desist from failing to pay livestock sellers or their duly authorized representatives the full amount of the purchase price for livestock before the close of the next business day following each purchase of livestock.

To the extent they seek to enter into credit agreements with livestock sellers, the respondents were ordered to:

- ensure that all credit agreements are in writing, contain the effective date of the agreement, specify when and how the agreement may be terminated or revoked, are acknowledged and signed by the seller of livestock, include the date(s) of signing, and are in effect before the date of the livestock transaction for which respondents seek the extension of credit;
- disclose all credit agreements in their records and retain the credit agreements for such time as required by any law, or by written notice served on respondents by the GIPSA Administrator, but not less than two calendar years from the date of expiration;
- provide GIPSA with access to all credit agreements, upon request; and
- provide the GIPSA’s Midwestern Regional Office (MRO) with copies of all of respondents’ credit agreements in effect on or before the effective date of this Order, and provide an updated list or copies of all of respondents’ current credit agreements to the MRO at specified intervals until September 1, 2013.

The respondents were also assessed a civil penalty in the amount of \$14,000.

USDA is an equal opportunity provider, employer, and lender. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Ave., S.W., Washington, D.C. 20250-9410 or call (800) 795-3272(voice), or (202) 720-6382 (TDD).

Fred J. Berger, Ltd., dba Berger Cattle Company

Fred J. Berger

Page 2

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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