

News Release Archive

2003

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News Release

Release No.: 01-03

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USDA Continues To Investigate Starlink Situation

WASHINGTON, D.C., January 6, 2003 - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) said today that it is continuing to work with Japan's Ministry of Health, Labor, and Welfare (MHLW) to investigate the recent report that StarLink corn was detected in a portion of a U.S. export shipment.

On December 27, 2002, the Japanese MHLW reported a positive test for StarLink in a 1,200-ton portion of a 19,234-ton shipment. This is the first shipment to test positive since a protocol was developed and implemented in 2000, following the discovery of StarLink in U.S. grain. MHLW has now indicated that it will increase the rate of testing of future shipments.

"GIPSA continues to investigate this situation. At this point, we have determined that the buyer's and seller's contract, which required the shipment to be tested prior to export, was followed," said Dave Shipman, Deputy Administrator for the Federal Grain Inspection Service. "The barges that made up this shipment were tested under conditions that met the established protocol, and were conducted by a network of official agencies designated by GIPSA to perform official inspection services. All test results were negative."

GIPSA administers a monitoring program to evaluate the accuracy of StarLink testing services provided by its designated agencies. The most recent report shows the agencies accuracy rate was 97.9 percent. Japan implemented a program in April 2001 to monitor for the presence of StarLink in food corn shipments imported from the United States. This is the first time MHLW has reported a positive test result.

"GIPSA's StarLink testing program has been extremely successful during the past 2 years to assure buyers and sellers alike that our corn exports are negative for StarLink, said Shipman. While our initial investigation indicates that testing requirements were met or exceeded, we are continuing to work with MHLW to determine the reasons for the differing test results. Our goal is to ensure an effective and reliable system and we hope this investigation will provide additional information to continue to maintain a strong testing program."

For more information USDA's GIPSA programs, visit www.usda.gov/gipsa. Gregory Hawkins (202) 720-3553



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News Release

Release No.: 01-03

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GIPSA Official Designation Activities

WASHINGTON, D.C. (March 3, 2003) - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following action on designations to officially inspect and weigh grain in Arkansas, Idaho, Indiana, Iowa, Kentucky, Minnesota, Nebraska, North Dakota, Tennessee, and Utah.

GIPSA is asking for applicants to provide official services in the Grand Forks, N.D.; Pocatello, Id.; Lewiston, Id.; Minnesota; Evansville, Ind.; and Utah areas. GIPSA is asking for applications and comments about the current service providers by April 1, 2003.

Grain Inspection, Inc. (Jamestown), Lincoln Inspection Service, Inc., Memphis Grain Inspection Service, Omaha Grain Inspection Service, Inc., Sioux City Inspection and Weighing Service Company, and A. V. Tischer and Son, Inc., are designated to inspect and weigh grain effective April 1, 2003 through March 31, 2006. For official grain inspection and weighing services, contact Jamestown at 701-252-1290, Lincoln at 402-435-4386, Memphis at 901-942-3216, Omaha at 402-341-6739, Sioux City at 712-255-8073, and Tischer at 515-955-7012.

For further information contact Virginia Roseberry at 202-720-9803, fax 202-690-2755 or e-mail

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News Release

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GIPSA Official Designation Activities

WASHINGTON, D.C. (March 24, 2003)-USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following actions on designations to officially inspect grain in Mississippi.

- GIPSA is requesting comments on the applicant to provide official services in the Mississippi geographic area. The Mississippi Department of Agriculture and Commerce plans to cease their official inspection operations effective June 30, 2003. GIPSA asked persons interested in providing official services to submit an application for designation by February 28, 2003. Memphis Grain Inspection Service, the sole applicant, applied for the entire Mississippi area. Comments are due by April 23, 2003.

For further information contact Virginia Roseberry at 202-720-9803, fax 202-690-2755 or e-mail virginia.v.roseberry@usda.gov.

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News Release

Release No.: 12-03

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GIPSA Official Designation Activities

WASHINGTON, D.C. (March 25, 2003) – USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following actions on designations to officially inspect grain in Oregon.

- GIPSA announces that Lewiston Grain Inspection Service, Inc. (Lewiston), is designated to inspect grain in Oregon, effective April 1, 2003 through August 31, 2003, coinciding with their current designation. The Oregon Department of Agriculture voluntarily cancelled their designation effective November 27, 2002. GIPSA asked for applicants and comments on the sole applicant to provide official services. For official grain inspection services, contact Lewiston at 208-746-0451.

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News Release

Release No.: 17-03

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GIPSA To Allow Exceptions To Geographic Areas In Some Cases

WASHINGTON, D.C. (April 18, 2003) - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) today announced it will allow exceptions to geographic areas for designated official agencies to officially inspect and weigh grain under the U.S. Grain Standards Act (the Act) under certain specific circumstances.

Currently, each official agency designated by GIPSA to provide official inspection services on the Agency's behalf in domestic markets operates in its own assigned geographic area. In 2000, the Act was amended to give USDA discretion to allow more than one designated official agency to inspect or weigh grain within a single geographic area under certain circumstances.

GIPSA is now revising regulations under the Act to allow exceptions to geographic boundary regulations for specific situations related to nonuse of service, timely service, and barge probing.

According to GIPSA administrator Donna Reifschneider, this change will enhance the orderly marketing of grain by providing segments of the grain industry with more cost-effective and responsive official grain inspection and weighing services while maintaining the integrity of the official grain inspection and weighing system.

Effective May 19, 2003, Code of Federal Regulations sections 7 CFR 800.81, 800.99, 800.116, 800.117, 800.118, 800.185, and 800.196 will be revised to implement changes to the Act.

For further information on program criteria, visit GIPSA's website at: <http://www.usda.gov/gipsa/oversight/exception.htm>.

For technical information contact: Virginia Roseberry, telephone 202-720-9803, fax 202-690-2755, or e-mail virginia.v.roseberry@usda.gov.
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News Release

Release No.: 02-03

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USDA Issues Decision Against Barnesville Livestock Co. And Gary Fogle

WASHINGTON, February 14, 2003 - On November 1, 2002, the United States Department of Agriculture, (USDA) issued a default decision against Barnesville Livestock Sales Co. (Barnesville) and Gary W. Fogle (Fogle) of Barnesville, Ohio. The decision became final on January 8, 2003. Barnesville and alter ego Fogle are registered under the Packers and Stockyards Act (P&S Act) as a market agency selling livestock on a commission basis. The decision is based on a complaint filed by USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) on June 21, 2000 and followed by an amended complaint filed on August 23, 2000, and a second amended complaint filed on April 24, 2002. The complaint as amended alleged violations of the P&S Act and regulations involving Barnesville's failure to properly use and maintain its custodial account, issuing insufficient funds checks to pay sellers and consignors of livestock, and failing to pay proceeds, when due, to livestock consignors.

Fogle and Barnesville were ordered to make timely deposits in Barnesville's custodial account; maintain the custodial account in the manner described by regulations; not to use funds from the sale of consigned livestock for their own purposes; to maintain sufficient funds in their custodial account; and to pay, when due, amounts owed to the consignors of livestock.

Fogle and Barnesville were suspended as registrants under the P&S Act for a period of forty-nine days and thereafter until the custodial account shortages and insolvency have been eliminated.

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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News Release

Release No.: 23-03

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GIPSA's Grain Inspection Advisory Committee To Meet

Washington, DC, May 22, 2003 - The USDA, Grain Inspection, Packers and Stockyards Administration's Grain Inspection Advisory Committee will meet June 3-4, 2003, in Kansas City, Mo.

The Committee meeting will take place from 7:30 a.m.-5:00 p.m., June 3, 2003, and 7:30 a.m.-12:00 p.m. June 4, 2003, at the Embassy Suites Hotel, Kansas City Plaza, 220 West 43rd Street, Kansas City, Mo.

Requests to address the Committee at the meeting or written comments may be sent to: Administrator, GIPSA, U.S. Department of Agriculture, 1400 Independence Avenue, SW., STOP 3601, Washington, DC 20250-3601. Requests and comments may also be faxed to (202) 205-9237.

The purpose of the Committee is to provide advice to the Administrator of the Grain Inspection, Packers and Stockyards Administration with respect to implementation of the U.S. Grain Standards Act.

The agenda will include GIPSA's financial status, general program plans, and wheat end-use functionality research.

Public participation will be limited to written statements, unless permission is received from the Committee Chairman to orally address the Committee. The meeting will be open to the public.

Persons with disabilities who require alternative means of communication of program information or related accommodations should contact Terri Henry, telephone (202) 205-8281 or FAX (202) 205-9237.

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News Release

Release No.: 22-03

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GIPSA Official Designation Activities

WASHINGTON, D.C. (May 22, 2003) - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following actions on designations to officially inspect and weigh grain in Colorado, Indiana, Kansas, Kentucky, Mississippi, Nebraska, North Dakota, Ohio, Virginia, and Wyoming.

GIPSA is asking for applicants to provide official services in the Frankfort, Ind.; Indianapolis, Ind.; and Virginia areas. GIPSA is asking for applications and comments about the current service providers by July 1, 2003.

Kansas Grain Inspection Service, Inc. (Kansas), Minot Grain Inspection, Inc. (Minot), and Tri-State Grain Inspection Service, Inc. (Tri-State), are designated to inspect grain effective July 1, 2003 through June 30, 2006. Memphis Grain Inspection Service is designated to inspect grain in Mississippi effective June 1, 2003 through March 31, 2006, concurrent with their present designation. For official grain inspection services, contact Kansas at 785-233-7063, Memphis at 901-942-3216, Minot at 701-838-1734, and Tri-State at 513-251-6571

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News Release

Release No.: 27-03

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GIPSA Releases Zearalenone Test Kit Design Criteria And Test Performance Specifications

Washington, D.C. (June 5, 2003) - The USDA Grain Inspection, Packers and Stockyards Administration released design criteria and test performance specifications for zearalenone test kits. The Agency is soliciting commercial test kits for quantitative determination of zearalenone in grains and commodities.

Zearalenone is a toxin produced by a mold that can be present in corn, sorghum, wheat, and other grains.

Manufacturers are invited to submit data to demonstrate their test kit meets GIPSA's criteria. GIPSA will then conduct a performance evaluation. Test kits meeting the criteria set forth in the Design Criteria and Test Performance Specifications will receive a Certificate of Conformance. The Certificate is required before a test kit can be used in the official grain inspection system.

According to GIPSA administrator Donna Reifschneider, test kits are a very important tool for the official inspection system, providing quick and accurate analyses for mycotoxins at a low price.

For copies of the Design Criteria and Test Performance Specifications, contact Lynn Polston, GIPSA Technical Services Division, 816-891-0444, e-mail Lynn.A.Polston@usda.gov.

For technical information, contact: Tim Norden, GIPSA Technical Services Divisions, 816-891-0470, e-mail at Tim.D.Norden@usda.gov.

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News Release

Release No.: 31-03

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GIPSA Announces New Moisture Calibrations For Edible Beans, Peas, Mustard Seed, Popcorn, And Triticale

Washington, D.C. (June 30, 2003)-The USDA Grain Inspection, Packers and Stockyards Administration today announced the implementation of new Dickey-john GAC 2100 moisture calibrations for: Pink Beans, Small Red Beans, Small White Beans, Yelloweye Beans, Austrian Winter Peas, Split Peas, Wrinkled Dry Peas, Brown Mustard Seed, Oriental Mustard Seed, Yellow Mustard Seed, Popcorn, and Triticale.

The new calibrations, which will go into effect on July 1, 2003, supersede the Motomco 919 Moisture Meter charts for these commodities.

According to GIPSA administrator Donna Reifschneider, the new moisture meter calibrations improve the ease, speed, and reliability of official moisture measurement.

For more information, see GIPSA Program Directive 9180.61, "Official Calibrations for the Dickey-john GAC 2100 Moisture Meter," at: <http://www.usda.gov/gipsa/referencelibrary/directives/9180-61.pdf>

For technical information about the new calibrations, contact: Jim Rampton, GIPSA Technical Services Division, 816-891-0450.

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News Release

Release No.: 38-03

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GIPSA Verifies Performance Of Test Kit To Detect Herculex Tm Corn

WASHINGTON, DC (July 16, 2003) - The USDA Grain Inspection, Packers and Stockyards Administration today announced it verified that the Strategic Diagnostics, Inc. Trait vTM Bt1F Corn Grain Test Kit #7000018 Qualitative Lateral Flow Strip Kit detects the presence of one kernel of Herculex TM corn in 600 kernels in 10 minutes (test strip development time).

This test was evaluated under GIPSA's Rapid Test Performance Evaluation Program.

GIPSA administrator Donna Reifschneider said that GIPSA'S evaluation of this test will help the U.S. grain market make more informed decisions about the grain being bought and sold. For information on GIPSA's Rapid Test Performance Evaluation Program and Proficiency Program, visit GIPSA's Biotechnology web page at <http://www.usda.gov/gipsa/biotech/biotech.htm>.

For technical information on test kit performance evaluation, contact Don Kendall, Biotechnology Program Manager, GIPSA Technical Services Division, 816-891-0463.

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News Release

Release No.: 45-03

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GIPSA Verifies Performance Of Test Kit To Detect Yieldgard Rootworm® Corn

WASHINGTON, DC (July 31, 2003) - The USDA Grain Inspection, Packers and Stockyards Administration today announced it verified that the Strategic Diagnostics, Inc. Trait3™ Cry3Bb Corn Grain Test Kit #7000041 Qualitative Lateral Flow Strip Kit detects the presence of one kernel of YieldGard Rootworm® corn in 800 kernels in 5 minutes (test strip development time).

This test was evaluated under GIPSA's Rapid Test Performance Evaluation Program.

GIPSA administrator Donna Reifschneider said that GIPSA'S evaluation of this test will help the U.S. grain market make more informed decisions about the grain being bought and sold.

For information on GIPSA's Rapid Test Performance Evaluation Program and Proficiency Program, visit GIPSA's Biotechnology web page at <http://www.usda.gov/gipsa/biotech/biotech.htm>.

For technical information on test kit performance evaluation, contact Don Kendall, Biotechnology Program Manager, GIPSA Technical Services Division, 816-891-0463.

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News Release

Release No.: 46-03

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GIPSA Official Designation Activities

WASHINGTON, D.C. (August 7, 2003) - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following action on designations to officially inspect grain in specified areas in North Dakota.

- Grain Inspection, Inc. (Jamestown), Minot Grain Inspection, Inc. (Minot), North Dakota Grain Inspection Service, Inc. (North Dakota); and Paul B. Bethke, Terry D. Pladson, and Ryan M. Kuhl, proposing to do business as Northern Plains Grain Inspection Service, Inc. (Northern Plains), are designated to inspect grain in North Dakota in different portions of the area formerly served by Grand Forks Grain Inspection Department, Inc. These actions are effective October 1, 2003, and run concurrently with the official agencies' present designations, in addition to any areas they are already designated to serve. Northern Plains is designated October 1, 2003 through March 31, 2005. For official grain inspection services, contact Jamestown at 701-252-1290, Minot at 701-838-1734, North Dakota at 701-293-7420, and Northern Plains at 701-772-2414.

For further information contact Virginia Roseberry at 202-720-9803, fax 202-690-2755 or e-mail

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News Release

Release No.: 49-03

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GIPSA Official Designation Activities

WASHINGTON, D.C. (September 2, 2003) – USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following action on designations to officially inspect and weigh grain in specified areas in Idaho, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Ohio, Oklahoma, Oregon, Tennessee, and Utah.

- GIPSA is asking for applicants to provide official services in the Champaign, Illinois; Detroit, Michigan; Davenport, Iowa; Enid, Oklahoma; Keokuk, Iowa; and Marshall, Michigan Areas. GIPSA is asking for applications and comments about the current service providers by October 1, 2003.
- Idaho Grain Inspection Service, Inc. (Idaho), Lewiston Grain Inspection Service, Inc. (Lewiston), Ohio Valley Grain Inspection, Inc. (Ohio Valley), and Utah Department of Agriculture and Food (Utah), are designated to inspect grain effective October 1, 2003 through September 30, 2006. Minnesota Department of Agriculture (Minnesota) is designated to inspect and weigh grain effective October 1, 2003 through March 31, 2005. For official grain inspection services, contact Idaho at 208-233-8303, Lewiston at 208-746-0451, Minnesota at 612-341-7190, Ohio Valley at 812-423-9010, and Utah at 801-392-2292.
- Keokuk Grain Inspection Service is designated to provide Class X or Class Y weighing services under the United States Grain Standards Act, as amended, effective August 6, 2003 through March 31, 2004, coinciding with their current designation. For official services, contact Keokuk at 319-524-6482.

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News Release

Release No.: 53-03

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USDA Seeks Members For Grain Inspection Advisory Committee

WASHINGTON (Oct.2, 2003) - The USDA Grain Inspection, Packers and Stockyards Administration is seeking nominations for individuals to serve on the Grain Inspection Advisory Committee. Nominations are being sought for 5 members and 5 alternates, who will begin serving 3-year terms in March 2004.

The Committee is comprised of 15 members, and 15 alternates, appointed by the Secretary of Agriculture, who represent all facets of the grain industry. The Committee meets twice annually to advise GIPSA on the programs and services GIPSA delivers under the U.S. Grain Standards Act to meet the needs of the Agency's customers, including new challenges facing the Agency resulting from changes in the grain industry. Members of the Committee serve without compensation, but are reimbursed for travel expenses.

Nominations are open to all individuals without regard to race, color, religion, sex, national origin, age, mental or physical handicap, marital status, or sexual orientation.

Persons interested in serving on the Advisory Committee, or in nominating individuals to serve, should contact GIPSA, by telephone (202-205-8281), fax (202-205-4714), or e-mail (Terri.L.Henry@usda.gov) and request Nomination Form AD-755.

Nomination forms also are available from GIPSA's web site at: <http://www.usda.gov/gipsa/advcommittee/ad755.pdf>. Completed nomination forms must be submitted to GIPSA by fax or in hard copy to: GIPSA, 1400 Independence Ave., SW, Rm. 1093-S, Stop 3601, Washington, DC 20250-3601. Form AD-755 must be received not later than December 1, 2003.

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News Release

Release No.: 57-03

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GIPSA's Grain Inspection Advisory Committee to Meet

The Committee meeting will take place from 7:30 a.m.-5:00 p.m., November 4, 2003, and 7:30 a.m.-Noon, November 5, 2003, at the Embassy Suites Hotel, Kansas City Plaza, 220 West 43rd Street, Kansas City, Mo.

Requests to address the Committee at the meeting or written comments may be sent to: Administrator, GIPSA, U.S. Department of Agriculture, 1400 Independence Avenue, SW., STOP 3601, Washington, DC 20250-3601. Requests and comments may also be faxed to (202) 205-9237.

The purpose of the Committee is to provide advice to the Administrator of the Grain Inspection, Packers and Stockyards Administration with respect to implementation of the U.S. Grain Standards Act.

The agenda will include GIPSA's financial status, general program plans, and discussion of grain end-use functionality research.

Public participation will be limited to written statements, unless permission is received from the Committee Chair to orally address the Committee. The meeting will be open to the public.

Persons with disabilities who require alternative means of communication of program information or related accommodations should contact Terri Henry, telephone (202) 205-8281 or FAX (202) 205-9237.

Terri L. Henry (202) 205-8281
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News Release

Release No.: 55-03

Contact:
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GIPSA Customers to Specify Reinspection and appeal Factors

Washington, DC (November 6, 2003) - The USDA Grain Inspection, Packers and Stockyards Administration will allow customers of the official grain inspection system to specify the quality factor(s) to be redetermined during a reinspection or appeal inspection for grade. This option will become effective on November 28, 3003.

Currently, reinspections and appeal inspections for grade must include a complete review or examination of all official factors that may determine the grade, are reported on the original certificate, or are required to be shown. With this change, customers will be able to receive reinspection on the specific quality factors that are needed.

According to GIPSA administrator Donna Reifschneider, requiring that all quality factors be completely reexamined during a reinspection or appeal inspection is not efficient, is time consuming, and can be costly. She added that a detailed review of the preceding inspection service is not always needed to confirm the quality of the grain.

A final rule amending the regulations under the United States Grain Standards Act, as amended, to effect this change was published in today's Federal Register.

For further information, contact John Giler, (202) 720-1748.

Greg Hawkins (202) 720-3553



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News Release

Release No.: 60-03

Contact:
Terry Henry, 202-205-8281
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GIPSA Proposes Amending Inspection and Weighing Fees

WASHINGTON, Nov. 19, 2003 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration today announced completion of a review of the agency's trust fund for weighing and inspection services and adjustments to the fee schedule.

The agency's review found that the administrative fee for service schedule based on elevator size, which was implemented in 1996, had a break-even export level which was achieved only once over the past seven years. As a result, the operating reserve has been significantly drawn down.

GIPSA Administrator Donna Reifschneider said the U.S. Grain Standards Act provides the agency with the authority to collect fees to cover the cost of performing official services and the costs associated with administrative and supervisory activities. Through the years, GIPSA has taken actions to reduce costs by reducing staff, scheduling part-time and intermittent employees during fluctuating work periods and reducing the amount of overtime via creative scheduling processes.

In order to maintain financial stability, Reifschneider said that fees will now need to be adjusted to assure continued inspection and weighing services to the grain industry, which will further facilitate the sound and orderly marketing of grain in domestic and export markets.

Today, GIPSA is proposing several changes to the fee schedule which will cover the costs by increasing rates to the grain industry an average of 6.5 cents per ton. The detailed changes are published in today's Federal Register. Most of the increase results from basing administrative fees regionally rather than basing those fees on elevator size and by increasing the one-year contract hourly rate.

Written comments must be submitted on or before January 20, 2004 via Internet to comments.gipsa@usda.gov; in hard copy to Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW, Room 1647-S, Washington, DC 20250-3604; or via fax to (202) 690-2755.

Gregory J. Hawkins 202-720-3553



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News Release

Release No.: 61-03

Contact:
Terry Henry, 202-205-8281
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GIPSA Official Designation Activities

WASHINGTON, Dec. 2, 2003-USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following action on designations to officially inspect and weigh grain in specified areas in Indiana, Iowa, Nebraska, Ohio, and Virginia.

- GIPSA is asking for applicants to provide official services in the Muncie, Indiana; Fremont, Nebraska; and West Lafayette, Indiana Areas. GIPSA is asking for applications and comments about the current service providers by January 2, 2004.
- Frankfort Grain Inspection, Inc. (Frankfort), Indianapolis Grain Inspection & Weighing Service, Inc. (Indianapolis), and Virginia Department of Agriculture and Consumer Services (Virginia) are designated to inspect grain effective January 1, 2004, through December 31, 2006. For official grain inspection services, contact Frankfort at 765-258-3624, Indianapolis at 317-899-2337, and Virginia at 757-494-2464.

For further information contact Virginia Roseberry at 202-720-9803, fax 202-690-2755 or e-mail virginia.v.roseberry@usda.gov.

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News Release

Release No.: 18-03

Contact:
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GIPSA OFFICIAL DESIGNATION ACTIVITIES

WASHINGTON, D.C. (May 1, 2003)-USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following action on designations to officially inspect and weigh grain in specified areas in Minnesota and North Dakota. GIPSA is asking for comments on the applicants for designation to provide official services in the areas currently assigned to Grand Forks Grain Inspection Department, Inc., and the Minnesota Department of Agriculture. Comments are due by May 30, 2003.

The applicants for the Grand Forks area are: Grand Forks Grain Inspection Department, Inc. (Grand Forks), Grain Inspection, Inc. (Jamestown), Minot Grain Inspection, Inc. (Minot), North Dakota Grain Inspection Service, Inc. (North Dakota), all currently designated official agencies; and Paul B. Bethke, Terry D. Pladson, and Ryan M. Kuhl proposing to do business as Northern Plains Grain Inspection Service, Inc. (Northern Plains). Grand Forks applied for designation to provide official services in the entire area currently assigned to them. Jamestown, Minot, North Dakota, and Northern Plains applied for all or any part of the area currently assigned to Grand Forks.

The applicants for the Minnesota area are: Minnesota Department of Agriculture (Minnesota), North Dakota, D. R. Schaal Agency, Inc. (Schaal), Sioux City Inspection and Weighing Service Company (Sioux City), all currently designated official agencies; Northern Plains, and Kathleen Duea, Kyle Duea, Ben Duea, and Nicole Youel proposing to do business as Southern Minnesota Grain Inspection (Southern Minnesota). Minnesota applied for designation to provide official services in the entire area currently assigned to them. North Dakota, Schaal, Sioux City, Northern Plains, and Southern Minnesota applied for all or part of the area currently assigned to Minnesota.

For further information contact Virginia Roseberry at 202-720-9803, fax 202-690-2755 or
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News Release

Release No.: 05-03

Contact:
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Default Decision Suspends Bert Smith IV And B4 Cattle Co. For 10 Years

WASHINGTON, March 4, 2003 - On Aug. 12, 2002, an administrative law judge issued a default decision against Bert Smith, IV, doing business as B4 Cattle Company (Smith IV) and B4 Cattle Company Inc. of Chilhowie, Va. Smith IV was registered under the Packers and Stockyards Act (P&S Act) to operate as a dealer buying and selling livestock in commerce for his own account, or for the accounts of others.

A complaint filed by the deputy administrator of the Grain Inspection, Packers and Stockyards Administration, (GIPSA) Packers and Stockyards Programs, alleged that Smith IV, despite several written notices, continued to operate as a livestock dealer without obtaining an adequate surety bond or a bond equivalent as required by the P&S Act. The complaint also alleged that Smith IV issued checks in payment for livestock purchases that were returned unpaid by the bank because of a lack of sufficient funds in the account. Additionally, the complaint alleged that as of Sept. 14, 2001, Smith IV had failed to pay for \$604,636.37 in livestock purchases.

Smith IV did not appeal the administrative law judge's Aug. 12, 2002, decision in a timely manner, resulting in a default decision that became final and effective on Oct. 31, 2002.

The default decision ordered Smith IV to stop from failing to pay and pay when due the full purchase price of livestock, failing to maintain sufficient funds on deposit to pay checks, and failing to maintain an adequate bond when operating a business subject to the P&S Act and regulations.

Smith IV was suspended as a registrant under the P&S Act for a period of 10 years. He is prohibited from operating subject to the P&S Act as a livestock dealer or order buyer during the 10-year period of his suspension. The suspension may be terminated after 390 days upon demonstration by Smith IV that he has obtained the required bond coverage, and the unpaid livestock sellers identified in the complaint have been paid in full.



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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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News Release

Release No.: 08-03

Contact:
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Wakeeney Subject Of GIPSA Complaint

WASHINGTON, March 5, 2003 - On Jan. 27, 2003, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued an administrative complaint against Kirk Hemmert, d.b.a. Wakeeney Livestock Commission Co. (Wakeeney), Wakeeney, Kan. Wakeeney is a market agency selling livestock on commission under the Packers and Stockyards Act (P&S Act).

The complaint alleges that Wakeeney during the period June 29, 2001, through Aug. 21, 2001, failed to maintain its custodial account in accordance with the P&S Act and regulations. The complaint alleges that Wakeeney had custodial account shortages on June 29, Aug. 7, 14, and 21, 2001, of \$9,520.67, \$33,147.22, \$49,580.39, and \$60,221.46 respectively.

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News Release

Release No.: 09-03

Contact:
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Wagner Livestock Suspended Under Packers And Stockyards Act

WASHINGTON, March 5, 2003 - On Dec. 9, 2002, Dale Meyer d.b.a. Wagner Livestock Sales Company (Wagner), of Wagner, S.D. was suspended as a registrant under the Packers and Stockyards Act (P&S Act) for a period of 21 days. Wagner is registered under the P&S Act as a market agency selling livestock on a commission basis and as a livestock dealer.

Allegations against Wagner included a failure to make full payment into the custodial account by the next business day for all consigned livestock that he buys, and a failure to maintain his custodial account in strict conformity with the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration's regulations.

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News Release

Release No.: 07-03

Contact:
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GIPSA COMPLAINT ISSUED AGAINST DRESSLER D.B.A. CLOVER LANE FARM

WASHINGTON, March 5, 2003 – On Jan. 27, 2003, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued an administrative complaint against Jacob Dressler III, a.k.a. Jake Dressler III, d.b.a Clover Lane Farm (Dressler), of Evans City, PA. Dressler is a dealer, buyer and selling livestock in commerce as a registrant under the Packers and Stockyards Act.

The complaint alleges that Dressler issued 29 insufficient funds checks, failed to make timely payments for livestock, and filed to pay \$58,267.12 for livestock purchases. The complaint also alleges that Dressler failed to maintain records that fully and correctly disclosed all transactions in his dealer business.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for livestock, meat, and poultry industries.

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News Release

Release No.: 10-03

Contact:
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Decision Reached In GIPSA's Case Against Ranger Auction

Washington, March 5, 2003, - On Nov. 18, 2002, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a consent agreement with Ranger Auction Co., Inc, d.b.a. Eastland Auction Co., and Ranger Auction Co; David L. Coan and Laquetta J. Coan (Ranger) of Eastland, Texas. David and Laquetta Coan, while not admitting or denying the allegations of GIPSA's complaint, Ranger agreed to waive an oral hearing and to the entry of this consent decision.

Ranger was registered in accordance with the Packers and Stockyards Act (P&S Act) as a market agency selling livestock on a commission basis. GIPSA's complaint alleged that Ranger provided false information on its annual reports, failed to maintain its custodial account in accordance with the P&S Act, and failed to make deposits within the times prescribed by regulations and in the amounts required from the sale of consigned livestock, and misused funds from the custodial account.

Respondent Ranger Auction Co., Inc., was suspended as a registrant under the P&S Act for a period of twenty-one days.

Respondents David L. Coan and Laqueta J. Coan are barred from being registered under the P&S Act for a period of five years, and are prohibited from conducting business subject to the P&S Act without being registered.

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News Release

Release No.: 14-03

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GIPSA COMPLAINT ISSUED AGAINST DEWEY B. VAUGHN D.B.A. VAUGHN CATTLE SERVICE

WASHINGTON, March 25, 2003 - On March 11, 2003, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration issued an administrative complaint against Dewey B. Vaughn, d.b.a. Vaughn Cattle Service (Vaughn) of Stratford, Texas. Vaughn is operating subject to the Packers and Stockyards Act (P&S Act) as a livestock dealer and as a market agency buying livestock on commission (order buyer).

The complaint alleges that Vaughn increased the amount of his livestock purchases making the \$10,000 surety bond he maintained to secure the performance of his livestock obligations inadequate, and that it was necessary for Vaughn to increase his bond or bond equivalent to \$90,000 before continuing his livestock operations. The complaint alleges that GIPSA informed Vaughn that he needed to increase his bond amount, but Vaughn continued to engage in the business of a dealer and a market agency without maintaining an adequate bond or its equivalent.

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News Release

Release No.: 15-03

Contact:
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GIPSA Complaint Issued Against Topeka Auction & Marketing, Inc. D/B/A Topeka Livestock Auction & Robert Bale

WASHINGTON, March 28, 2003 - On March 18, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Topeka Auction & Marketing, Inc., d.b.a. Topeka Livestock Auction (Topeka) and Robert Bale (Bale) of Topeka, Ind. Topeka is registered under the Packers and Stockyards Act (P&S Act) as a market agency buying and selling livestock on a commission basis and as a dealer buying and selling livestock for their own account. The complaint alleges that Bale is the alter ego of Topeka because Bale is the president and owner of 50 percent of Topeka's stock and is responsible for its direction, management, and control. The complaint further alleges that Topeka and Bale violated the P&S Act by failing to properly maintain Topeka's custodial account (by having deficient funds in the custodial account to pay shippers' proceeds) and by misusing the custodial account.

Topeka and Bale have 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Topeka and Bale may be ordered to stop violating the P&S Act, assessed a civil penalty, and/or suspended as registrants under the P&S Act.

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News Release

Release No.: 16-03

Contact:
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GIPSA COMPLAINT ISSUED AGAINST TOM “TOMMY” TUCKER

WASHINGTON, April 2, 2003 - On March 19, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Tom (Tommy) Tucker (Tucker) of Fort Scott, Kansas. Tucker is alleged to be operating as a market agency buying livestock on a commission basis (order buyer), in violation of the bonding requirements of the Packers and Stockyards Act (P&S Act).

The complaint alleges that Tucker was served a letter of notice on April 14, 2000, informing him that his bond coverage had terminated. GIPSA informed Tucker that he needed to obtain an adequate bond or its equivalent before continuing his livestock operations, but Tucker continues to engage in the business of an order buyer without maintaining an adequate bond or its equivalent.

Tucker has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed or filing an answer admitting all of the material obligations will result in an oral hearing. If the allegations are proven in an oral hearing, Tucker may be ordered to stop violating the P&S Act, assessed a civil penalty, and suspended as a registrant under the P&S Act.

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News Release

Release No.: 21-03

Contact:
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Decision Reached In GIPSA's Case Against Wakeeney

WASHINGTON, April 29, 2003 - On April 8, 2003, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a consent agreement with Kirk Hemmert, d.b.a. Wakeeney Livestock Commission Co. (Wakeeney), Wakeeney, Kan. Wakeeney, while not admitting or denying the allegations of GIPSA's complaint, agreed to waive an oral hearing and to the entry of this consent decision.

Wakeeney is a market agency selling livestock on commission under the Packers and Stockyards Act (P&S Act). The complaint alleged that Wakeeney, during the period June 29, 2001, through Aug. 21, 2001, failed to maintain its custodial account in accordance with the P&S Act and regulations. The complaint alleges that Wakeeney had custodial account shortages on June 29, Aug. 7, 14, and 21, 2001, of \$9,520.67, \$33,147.22, \$49,580.39, and \$60,221.46 respectively.

Under the terms of the decision Wakeeney, in connection with his operation subject to the P&S Act, agreed: (1) to stop failing to deposit in his custodial account for shippers' proceeds, within the times prescribed by regulations, the amounts required from the sale of consigned livestock; and (2) to stop failing to properly maintain his custodial account.

Wakeeney was also assessed a civil penalty of \$5,000.00, with an initial payment of \$500.00 and 9 monthly payments of \$500.00, payments to be postmarked by the first of the month starting May 1, 2003. The provisions of this order became effective on the sixth day after service of this order.

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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News Release

Release No.: 19-03

Contact:
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GIPSA Complaint Issued Against Chris Britten D/B/A Chris Britten Cattle

WASHINGTON, April 24, 2003 - On April 14, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Chris Britten d.b.a. Chris Britten Cattle (Britten) of Groom, Texas. Britten is alleged to be operating as a dealer buying and selling livestock in commerce, and as a market agency buying livestock on a commission basis (order buyer) in violation of the bonding requirements of the Packers and Stockyards Act (P&S Act). The complaint alleges the \$95,000 surety bond Britten maintained to secure the performance of his livestock obligations under the P&S Act was terminated on September 7, 2001. The complaint further alleges Britten was informed that he needed to obtain a replacement bond or bond equivalent in the amount of \$95,000 to continue his livestock operations. Britten has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer will constitute an admission of those allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Britten may be ordered to stop violating the P&S Act and assessed a civil penalty. 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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News Release

Release No.: 20-03

Contact:
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GIPSA Complaint Issued Against Valley Pride Pack, Inc., And Frederick R. Stewart

WASHINGTON, April 24, 2003 - On April 14, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Valley Pride Pack, Inc., (Valley Pride) of Norwalk, Wis. and Frederick R. Stewart (Stewart) of Tomah, Wis.

The complaint alleges that Valley Pride and Stewart violated the Packers and Stockyards Act (P&S Act) by issuing insufficient funds checks for livestock, failing to make timely payments for livestock, and failing to pay \$182,127.70 for livestock purchases. Valley Pride is a packer subject to the P&S Act by virtue of buying livestock in commerce for purposes of slaughter and manufacturing or preparing meats or meat food products for sale or shipment in commerce. The complaint further alleges that Stewart is the alter ego of Valley Pride because Stewart is the president and 100 percent owner of Valley Pride and is responsible for its direction, management, and control.

Valley Pride and Stewart have 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Valley Pride and Stewart may be ordered to stop violating the P&S Act and assessed a civil penalty.

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News Release

Release No.: 18-03

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GIPSA OFFICIAL DESIGNATION ACTIVITIES

WASHINGTON, D.C. (May 1, 2003) – USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following action on designations to officially inspect and weigh grain in specified area in Minnesota and North Adkota. GIPSA is asking for comments to he applicants for designation to provide official services in the areas currently assigned to Grand Forks Grain Inspection Department, Inc., and the Minnesota Department of Agriculture. Comments are due by May 30, 2003.

- The applicants for the Grand Forks area are: Grand Forks Grain Inspection Department, Inc. (Grand Forks), Grain Inspection, Inc. (Jamestown), Minot Grain Inspection, Inc. (Minot), North Dakota Grain Inspection Service, Inc. (North Dakota), all currently designated official agencies; and Paul B. Bethke, Terry D. Pladson, and Ryan M. Kuhl proposing to do business as Northern Plains Grain Inspection Service, Inc. (Northern Plains). Grand Forks applied for designation to provide official services in the entire area currently assigned to them. Jamestown, Minot, North Dakota, and Northern Plains applied for all of any part of the area currently assigned to Grand Forks.
- The applicants for the Minnesota area are: Minnesota Department of Agriculture (Minnesota), North Dakota, D. R Schaal Agency, Inc. (Schaal), Sioux City Inspection and Weighing Service Company (Sioux City), all currently designated official agencies; Northern Plains, and Kathleen Duea, Kyle Duea, Ben Duea, and Nicole Youel proposing to do business as Southern Minnesota Grain Inspection (Southern Minnesota). Minnesota applied for designation to provide official services in the entire area currently assigned to them. North Dakota, Schaal, Sioux City, Northern Plains, and Southern Minnesota applied for all or part of the area currently assigned to Minnesota.

For further information contact Virginia Roseberry at 202-720-9803, fax 202-690-2755
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News Release

Release No.: 24-03

Contact:
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Decision Reached In GIPSA's Case Against Dressler D.B.A. Clover Lane Farm

WASHINGTON, DC, May 12, 2003 - On April 3, 2003, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a consent agreement with Jacob Dressler III, a.k.a. Jake Dressler III, d.b.a. Clover Lane Farm (Dressler), of Evans City, Pa. Dressler is a dealer, buying and selling livestock in commerce as a registrant under the Packers and Stockyards Act (P&S Act).

The complaint alleged that Dressler issued 29 insufficient funds checks, failed to make timely payments for livestock, and failed to pay \$58,267.12 for livestock purchases. The complaint also alleged that Dressler failed to maintain records that fully and correctly disclosed all transactions in his dealer business.

Under the terms of the decision, Dressler, in connection with his operation subject to the P&S Act, agreed: (1) to stop failing to pay the full purchase price of livestock; (2) to stop failing to make timely payment of the full purchase price of livestock; (3) to stop issuing checks in payment for livestock purchases without having sufficient funds on deposit; and (4) to keep records that fully and correctly disclose the firm's business transactions as a dealer.

Dressler was also suspended as a registrant under the P&S Act for a period of five years. The suspension may be terminated after 130 days upon demonstration by Dressler that the unpaid livestock sellers identified in the complaint have been paid in full. The provisions of this order became effective on the sixth day after service of this order.

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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News Release

Release No.: 25-03

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Decision Reached In GIPSA's Case Against Dewey B. Vaughn D/B/A Vaughn Cattle Service

WASHINGTON, May 15, 2003 - On April 17, 2003, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a consent agreement with Dewey B. Vaughn d.b.a. Vaughn Cattle Service (Vaughn), of Stratford, Texas. Vaughn, while not admitting or denying the allegations of GIPSA's complaint, agreed to waive an oral hearing and to the entry of the consent decision.

The complaint alleges that Vaughn increased the amount of his livestock purchases, making the \$10,000 surety bond he maintained to secure the performance of his livestock obligations inadequate, and that it was necessary for Vaughn to increase his bond or bond equivalent to \$90,000 before continuing his livestock operations. The complaint alleges that GIPSA informed Vaughn that he needed to increase his bond amount, but Vaughn continued to engage in the business of a dealer and an order buyer without maintaining an adequate bond or its equivalent.

Vaughn was assessed a civil penalty of \$3,500.00, with an initial payment of \$1,000.00 upon signing the consent decision and 5 monthly payments of \$500.00, payments to be postmarked by the first of the month starting May 1, 2003. The provisions of this order became effective on the sixth day after service of this order.

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News Release

Release No.: 26-03

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Decision Reached In GIPSA's Case Against Fred Holmes D.B.A. Holmes Livestock

WASHINGTON, DC, May 16, 2003 - On May 5, 2003, an administrative law judge issued a decision against Fred Holmes, doing business as Holmes Livestock (Holmes) of Brookfield, Mo. Holmes, as a livestock dealer and market agency buying livestock on a commission basis, is subject to the provisions of the Packers and Stockyards Act (P&S Act) and regulations.

Holmes allegedly issued insufficient funds checks in payment of livestock purchases. As of January 28, 2002, Holmes had failed to pay for livestock in the amount of \$505,648.16, and all of the livestock-related purchase amounts owed by Holmes as of January 28, 2002, were more than 325 days overdue.

Under the terms of the decision, Holmes, in connection with his operation subject to the P&S Act, is ordered: (1) to stop failing to pay the full purchase price of livestock; (2) to stop failing to make timely payment of the full purchase price of livestock; and (3) to stop issuing checks in payment for livestock purchases without having sufficient funds on deposit.

Holmes was also suspended as a registrant under the P&S Act for a period of 5 years. The suspension may be terminated after 1 year upon demonstration by Holmes that he is in full compliance with the Act. This order may be modified upon application to the P&S Programs to permit Holmes' salaried employment by another registrant or a packer after the expiration of 1 year of suspension upon demonstration of circumstances that would warrant a modification, such as a reasonable schedule of restitution. The provisions of this order became effective on the sixth day after service of this order.

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News Release

Release No.: 29-03

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Buffalo Farm Supply, Inc., Pays Penalty To Settle USDA Charges

WASHINGTON, DC, June 10, 2003 - Buffalo Farm Supply, Inc., (Buffalo) Buffalo, ND, agreed to pay a \$500 civil penalty to settle an enforcement action brought by USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA).

Buffalo was charged with deceptively loading a truck of soybeans and attempting to cause the issuance of a false official grain inspection certificate. Such action is a violation of the United States Grain Standards Act (USGSA) 7 U.S.C. 87b.

The complaint filed against Buffalo was the result of an investigation conducted by GIPSA under the authority of the USGSA. The USGSA provides for the establishment of U.S. grain standards, and for the official inspection and weighing of grain shipped in domestic and international commerce.

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News Release

Release No.: 30-03

Contact:
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Decision Reached In GIPSA's Case Against Michael Claude Edwards

WASHINGTON, June 23, 2003 -P On May 29, 2003, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a consent decision with Michael Claude Edwards (Edwards) of Lambsburg, Va. Edwards was alleged to have been operating as a dealer buying and selling livestock in commerce, and as a market agency buying livestock on a commission basis (order buyer), in violation of the bonding requirements of the Packers and Stockyards Act (P&S Act).

The complaint alleged that the \$10,000 surety bond Edwards maintained to secure the performance of his livestock obligations under the P&S Act was terminated on May 3, 2000, and that Edwards failed to replace the bond or obtain a bond equivalent. GIPSA informed Edwards that he needed to obtain a \$10,000 bond or its equivalent before continuing his livestock operations. The complaint alleged that despite this notice Edwards continued to engage in the business of a dealer and a market agency without maintaining an adequate bond or its equivalent.

Edwards was assessed a civil penalty of \$1,000.00. The provisions of this order became effective on the sixth day after service of this order. Edwards has since obtained the necessary bond in the amount of \$10,000 required to continue his livestock operations under the P&S Act.

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News Release

Release No.: 35-03

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GIPSA Complaint Issued Against Cecil Clark McNeese

WASHINGTON, July 9, 2003 - On June 23, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Cecil Clark McNeese (McNeese) of Pulaski, Tenn.

The complaint alleges that McNeese violated the Packers and Stockyards Act (P&S Act) by failing to make timely payments for livestock, and failed to pay \$117,842.73 for livestock purchases. The complaint also alleges that McNeese, in connection with his operations subject to the P&S Act and regulations, failed to keep accounts, records, and memoranda which fully and correctly disclosed all the transactions involved in his business as a livestock dealer.

McNeese has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, McNeese may be ordered to stop violating the P&S Act, be suspended as a registrant under the P&S Act, and assessed a civil penalty.

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News Release

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GIPSA Complaint Issued Against Billy Pruitt

WASHINGTON, July 9, 2003 - On July 2, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Billy Pruitt (Pruitt) of Richmond, Ky. Pruitt is engaged in the business of a market agency buying on commission and is registered as a market agency buying on commission and as a dealer buying and selling livestock in commerce subject to the bonding requirements of the Packers and Stockyards Act (P&S Act).

The complaint alleges that Pruitt was served a letter of notice on August 9, 2002, informing him that he was no longer named as a clearee in a bond filed and maintained by another market agency. The complaint further alleges Pruitt was informed that he needed to obtain a \$10,000 surety bond or bond equivalent to secure his livestock obligations, but Pruitt continued to engage in the business of a market agency buying on commission without maintaining an adequate bond or its equivalent.

Pruitt has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer will constitute an admission of those allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Pruitt may be ordered to stop violating the P&S Act, be suspended as a registrant under the P&S Act, and assessed a civil penalty.

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News Release

Release No.: 32-03

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Decision Reached In GIPSA's Case Against Josephine E. Bonaccurso, Inc., D/B/A Salem Packing Co. And Anthony Bonaccurso

WASHINGTON, July 9, 2002 - On June 24, 2003, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a consent agreement with Josephine E. Bonaccurso, Inc., d.b.a. Salem Packing Co., and Anthony Bonaccurso (Salem Packing) of Salem, N.J. Salem Packing, while not admitting or denying the allegations of GIPSA's complaint, agreed to waive an oral hearing and to the entry of the consent decision.

Under the terms of the decision, Salem Packing, in connection with its operations subject to the P&S Act, is ordered: (1) to stop failing to pay the full purchase price of livestock; (2) to stop failing to make timely payment of the full purchase price of livestock; and (3) to stop engaging in any business in any capacity for which bonding is required without filing and maintaining an adequate bond or bond equivalent as required by the P&S Act and regulations. Salem Packing was also assessed a civil penalty of \$25,000.00. The provisions of this order became effective on the sixth day after service of this order.

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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News Release

Release No.:34-03

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Decision Reached In GIPSA's Case Against Chris Britten D/B/A Chris Britten Cattle

WASHINGTON, July 9, 2003 - On June 25, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) reached a consent decision with Chris Britten d.b.a. Chris Britten Cattle (Britten) of Groom, Texas. Britten allegedly operated as a dealer buying and selling livestock in commerce, and as a market agency buying livestock on a commission basis (order buyer) in violation of the bonding requirements of the Packers and Stockyards Act (P&S Act).

The complaint alleged that the \$95,000 surety bond Britten maintained to secure the performance of his livestock obligations under the P&S Act was terminated on September 7, 2001, and that Britten failed to replace the bond or obtain a bond equivalent. GIPSA informed Britten that he needed to obtain a \$95,000 bond or its equivalent before continuing his livestock operations. The complaint alleged that despite this notice Britten continued to engage in the business of a dealer and a market agency without maintaining an adequate bond or its equivalent.

The consent decision orders Britten to stop engaging in any business in any capacity for which bonding is required without filing and maintaining an adequate bond or bond equivalent as required by the P&S Act and regulations. Britten was also assessed a civil penalty of \$2,500.00. The provisions of this order became effective on the sixth day after service of this order. Britten recently filed the required \$95,000 bond equivalent coverage with GIPSA.

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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GIPSA Complaint Issued Against Weldon Mack Glidewell D/B/A Mineral Wells Stockyards Company And Weatherford Stockyards Company

WASHINGTON, July 11, 2003 - On July 2, 2003, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Weldon Mack Glidewell d/b/a Mineral Wells Stockyards Company and Weatherford Stockyards Company (Glidewell) of Mineral Wells, Texas. Glidewell is engaged in the business of conducting and operating Mineral Wells Stockyards Company and Weatherford Stockyards Company, as a market agency selling livestock on commission at the stockyards and as a dealer buying and selling livestock for his own account in commerce subject to the requirements of the Packers and Stockyards Act (P&S Act).

The complaint alleges Glidewell violated the P&S Act and regulations by engaging in an unfair practice by failing to properly maintain his custodial account. According to the complaint, Glidewell's custodial account had insufficient funds to pay consignors the net proceeds due from the sale of their livestock or to pay sellers the purchase price of livestock purchased by Glidewell on four different dates. The complaint also alleges that Glidewell failed to properly maintain his custodial account despite having been placed on notice in 1999 that the alleged practices are prohibited by the P&S Act.

Glidewell has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Glidewell may be ordered to stop violating the P&S Act, be suspended as a registrant under the P&S Act, and assessed a civil penalty.

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News Release

Release No.: 39-03

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GIPSA Complaint Issued Against Noor Halal Meat Distributors, Inc., D/B/A Noor Halal Meats, And Hamdy Farag

WASHINGTON, July 17, 2003 - On July 2, 2003, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Noor Halal Meat Distributors, Inc., d/b/a/ Noor Halal Meats (Noor Halal) of Imler, Pa, and Hamdy Farag (Farag) of Claysburg, Pa. Noor Halal is a packer engaged in the business of buying livestock in commerce for purposes of slaughter and of marketing meats, meat food products, or livestock products as a wholesale broker, dealer, or distributor in commerce subject to the requirements of the Packers and Stockyards Act (P&S Act). Farag allegedly is the general manager and part owner of Noor Halal.

The complaint alleges Noor Halal and Farag violated the P&S Act by failing to make full payments for livestock. As of May 2003, Noor Halal and Farag owed some \$72,000 for unpaid livestock purchases.

The complaint further alleges that Noor Halal and Farag continued to engage in the business of a packer without maintaining an adequate bond or its equivalent.

Noor Halal and Farag have 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Noor Halal and Farag may be ordered to stop violating the P&S Act and assessed a civil penalty.

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News Release

Release No.: 40-03

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GIPSA Complaint Issued Against William C. Gomez D.B.A. Stuart Sale Barn And Perry Sales Pavilion

WASHINGTON, July 23, 2003 - On July 10, 2003, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) issued an administrative complaint against William C. Gomez d.b.a. Stuart Sale Barn and Perry Sales Pavilion (Gomez) in the cities of Stuart and Perry, Iowa, respectively. Gomez is engaged in the business of conducting and operating Stuart Sale Barn and Perry Sales Pavilion, posted stockyards, as a market agency selling livestock in commerce on a commission basis subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.

The complaint alleges Gomez violated the P&S Act and regulations by (1) having insufficient funds in his custodial account to pay consignors the net proceeds due from the sale of their livestock; (2) failing to properly reimburse the custodial account for proceeds receivable due from the sale of consigned livestock; (3) issuing insufficient funds checks to consignors of livestock; (4) failing to remit, when due, the net proceeds due consignors from the sale of their livestock; (5) misusing custodial funds; (6) failing to maintain a custodial account at Perry Sales Pavilion; and (7) operating on two dates when his current liabilities exceeded his current assets.

Gomez has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Gomez may be ordered to stop violating the P&S Act, suspended as a registrant operating under the P&S Act, and assessed a civil penalty.

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Release No.: 43-03

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GIPSA Complaint Issued Against Ronald C. Perkins

WASHINGTON, July 29, 2003 - On July 18, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Ronald C. Perkins (Perkins) of Danbury, Neb. Perkins is engaged in the business as a registered market agency buying livestock on commission and as a dealer buying and selling livestock in commerce for his own account subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.

The complaint alleges that Perkins was served a letter of notice on August 27, 2002, informing him that his bond coverage needed to be increased from \$10,000 to \$35,000 to secure the performance of his livestock obligations under the P&S Act, but Perkins continued to engage in the business of a market agency buying livestock on commission without maintaining an adequate bond or its equivalent.

Perkins has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer will constitute an admission of those allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Perkins may be ordered to stop violating the P&S Act, be suspended as a registrant under the P&S Act, and assessed a civil penalty.

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News Release

Release No.: 42-03

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GIPSA Complaint Issued Against Richard Armstrong D.B.A. Richard Armstrong Cattle Co.

WASHINGTON, July 29, 2003 - On July 23, 2003, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Richard Armstrong d.b.a Richard Armstrong Cattle Co. (Armstrong), of Blue Spring, Miss. Armstrong is engaged in the business of a registered market agency buying livestock on commission subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.

The complaint alleges that Armstrong was served a letter of notice informing him that his bond of \$15,000 would terminate and that he needed to obtain a replacement bond or bond equivalent to secure the performance of his livestock obligations under the P&S Act. Armstrong continued to engage in the business of a market agency buying livestock on commission without maintaining an adequate bond or its equivalent.

Armstrong has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer will constitute an admission of those allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Armstrong may be ordered to stop violating the P&S Act, be suspended as a registrant under the P&S Act, and assessed a civil penalty.

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News Release

Release No.: 44-03

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GIPSA Complaint Issued Against Jerry Hayes Meats, Inc., And Jerome A. Hayes

WASHINGTON, July 29, 2003 - On July 18, 2003, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) issued an administrative complaint against Jerry Hayes Meats, Inc. (Hayes Meats), of Newark Valley, N.Y. and Jerome A. Hayes (Hayes) of Vestal, N.Y.

The complaint alleges Hayes Meats under the direction, management, and control of Hayes, violated the Packers and Stockyards Act (P&S Act) and regulations by (1) continuing to engage in the business of a packer without maintaining an adequate bond or its equivalent after being notified by certified mail that the surety bond maintained in connection with its livestock purchases was terminated; (2) issuing insufficient funds checks for livestock purchased for slaughter; (3) failing to pay livestock sellers when payment was due; (4) failing to pay for livestock purchases; and (5) failing to keep accounts, records, and memoranda which fully and correctly disclose all the transactions involved in its business as a packer. Hayes Meats and Hayes were named in a disciplinary action in 1995 in which they were ordered to stop these same practices and were assessed a \$10,500 civil penalty.

The complaint further alleges that Hayes is the alter ego of Hayes Meats because Hayes is the president and 100 percent owner of Hayes Meats and is responsible for its direction, management, and control.

Hayes Meats and Hayes have 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Hayes Meats and Hayes may be ordered to stop violating the P&S Act and assessed a civil penalty.

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News Release

Release No.: 47-03

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USDA Announces Swine Contract Library Availability

WASHINGTON, Aug. 11, 2003 - The U.S. Department of Agriculture today announced that the final rule implementing the Swine Contract Library was published in the Federal Register today.

Publication of this rule sets the Swine Contract Library in motion, said Donna Reifschneider, administrator of USDA's Grain Inspection, Packers and Stockyards Administration. The library will help producers and industry by providing more information about contract terms and making this information available in one place, helping to bring more open competition to the marketplace.

The Swine Contract Library was mandated by the Livestock Mandatory Reporting Act of 1999. It requires that USDA establish a contract library or catalog of types of contracts used by industry for the purchase of swine by packers. The law further mandated that information be made available to swine producers and other interested parties on a "real time" basis.

In addition, the numbers of hogs under contract by region will be reported.

"We chose an Internet application for this because it would be the best way of getting timely and accurate information to our producers and the industry," Reifschneider said. "For those who don't have computers at home or in their places of business, they can get help through local libraries or by asking their local Extension Service office."

Thirty days following publication of the rule, GIPSA will begin collecting data from packers on the contracts and numbers of hogs contracted for. The data will then be extracted and summarized so that no individual producer or packer can be identified, and categorized by geographic regions. Approximately 60-90 days later, the information will be published on the Internet.



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Additional information is available on the GIPSA website at www.usda.gov/gipsa.
GIPSA will announce when the Swine Contract Library data is available for viewing.

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News Release

Release No.: 48-03

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GIPSA Complaint Issued Against Joshua Martin D.B.A. Martins Livestock

WASHINGTON, Aug. 21, 2003 - On August 12, 2003, USDA's Grain Inspection Packers and Stockyards Administration issued an administrative complaint against Joshua L. Martin, d.b.a. Martins Livestock of Hagerstown, Md. Martin is engaged in the business of dealer buying and selling livestock in commerce for his own account, and as a market agency buying and selling livestock on a commission basis, and is subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.

The complaint alleges that Martin violated the P&S Act and regulations by issuing checks in payment for livestock that were returned unpaid by the bank because he did not have sufficient funds available in the account. The complaint further alleges that Martin failed to pay, when due, the full purchase price of livestock. As of August 12, 2003, a total of \$85,401.70 remained unpaid.

Martin has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Martin may be ordered to stop violating the P&S Act, suspended as a registrant operating under the P&S Act, and assessed a civil penalty.

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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News Release

Release No.: 50-03

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GIPSA Publishes Notice Posting 10 Stockyards

WASHINGTON, August 25, 2003 - The Grain Inspection, Packers and Stockyards Administration today published a notice in the Federal Register proposing to post 10 stockyards.

Section 302 (b) of the P&S Act requires the Secretary to determine which stockyards meet the definition of a stockyard, and to notify the owner of the stockyard and the public of that determination by posting a notice in each designated stockyard. After giving notice to the stockyard owner and to the public, the stockyard will be subject to the provisions of Title III of the Packers and Stockyards Act (7 U.S.C. 201-203 and 205-217a) until the Secretary deposits the stockyard by public notice.

The facilities GIPSA proposes to post are: Tulare Sales Yard, Inc., Tulare, California; B and B Livestock Auction, Madera, California; Fergus Falls Livestock Auction Market, Fergus Falls, Minnesota; Cameron Livestock Sales, Warrensburg, Missouri; Southwest City Livestock Auction, L.L.C., Southwest City, Missouri; Solomon's Horse Sale, Belmont, Mississippi; Woods Auction Service, Cincinnatus, New York; Bakers Auction, Butler, Oklahoma; Shamrock Livestock Commission, Shamrock, Texas; and Wythe County Livestock Exchange, L.L.C., Wytheville, Virginia.

The public has fifteen days in which to comment on the proposed posting of any of the 10 stockyards. Further information can be obtained from the Federal Register Notice, and can be found on the GIPSA website at www.usda.gov/gipsa by following the link titled Rulemaking.

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News Release

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GIPSA Publishes Notice Deposting 77 Stockyards

WASHINGTON, August 25, 2003 - The Grain Inspection, Packers and Stockyards Administration today published a notice in the Federal Register announcing that the Agency is deposing 77 stockyards. The facilities are no longer capable of being used as stockyards and, therefore, are no longer required to be posted.

Section 302 (b) of the Packers and Stockyards Act requires the Secretary to determine which stockyards meet the definition of "stockyard," and to notify the owner of the stockyard and the public of that determination by posting a notice in each designated stockyard. After giving notice to the stockyard owner and to the public, the stockyard must be operated subject to the provisions of Title III of the P&S Act (7 U.S.C. 201-203 and 205-217a) until the Secretary deposes the stockyard by public notice.

GIPSA deposes a stockyard after the facility can no longer be used as a stockyard. Some of the reasons a facility can no longer be used as a stockyard include: the facility has been moved and the posted facility is abandoned, the facility has been torn down or otherwise destroyed, such as by fire, the facility is dilapidated beyond repair, or the facility has been converted and its function changed.

A list of the stockyards that have been deposed can be found on the GIPSA website at www.usda.gov/gipsa by following the link titled Rulemaking

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News Release

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Suspended Virginia Dealer Furr Sentenced To Jail

WASHINGTON, Aug. 29 - The Grain Inspection, Packers and Stockyards Administration today announced that Joseph E. Furr, a suspended livestock dealer and market agency in Staunton, Va., was sentenced to 45 days in jail for violation of probation. The sentence was imposed in U.S. District Court, Roanoke, Va., on August 11, 2003, after Furr was found to have continued operating as a livestock dealer in violation of orders issued by the Court and the Secretary of Agriculture enforcing the Packers and Stockyards Act.

On June 21, 2000, a United States District Court Order prohibited Furr from purchasing and selling livestock as a dealer or market agency under the Packers and Stockyards Act, and required that he comply with all provisions of a Consent Decision filed with the Secretary of Agriculture on May 18, 2000. In the Consent Decision, Furr agreed to, among other items, cease and desist from failing to pay, and failure to pay when due, the full purchase price of livestock, and from issuing checks in payment for livestock without sufficient funds on deposit and available for payment. The Consent Decision also suspended Furr as a dealer and market agency for five years, and thereafter unless he was able to demonstrate solvency as required by the Packers and Stockyards Act and regulations.

This was the latest in a series of United States District Court Orders entered against Furr. On June 21, 2001, Furr was indicted by a federal Grand Jury, charged with willful disobedience or resistance to the court's lawful order entered June 15, 2000 and filed June 21, 2000. The indictment alleged that Furr had willfully disobeyed or resisted a lawful writ, process, order, rule, decree, or command of the United States District Court for the Western District of Virginia. Furr pleaded guilty on November 28, 2001 and was placed on three years' probation.

Furr remains suspended as a dealer and market agency. He was given 60 days to get his personal affairs in order before beginning his jail sentence. The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments in the livestock, meat, and poultry industries.

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News Release

Release No.: 55-03

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Consent Decision Reached In GIPSA's Case Against Rickey Thompson, D/B/A Rick Thompson Livestock And J.T. Cattle, And Justin Thompson

WASHINGTON, Oct. 7, 2003 - On Sept 4, 2003, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a consent decision against Rickey Thompson, d.b.a. Rick Thompson Livestock and JT Cattle (Rickey Thompson) and Justin Thompson.

The consent decision follows an Aug. 2, 2002, administrative complaint filed by GIPSA against Rickey Thompson. That complaint alleged that Rickey Thompson purchased livestock and failed to pay, when due, for the full purchase price of the livestock; used an unauthorized trade name of JT Cattle; and engaged in other unlawful conduct such as backdating checks to the date of sale. Additionally, the complaint alleges that Rickey Thompson failed to maintain accounts, records and memoranda that fully and correctly disclose all business transactions subject to the Packers and Stockyards Act (P&S Act).

Rickey and Justin Thompson were ordered to stop failing to pay, when due, the full purchase price of livestock, and failing to pay the full purchase price for livestock. They were further ordered to stop paying for livestock in any time or manner other than required by subsection 409(a) of the P&S Act and regulations unless having a written agreement prior to purchasing livestock as required by subsection 409(b). Rickey and Justin Thompson were ordered to stop issuing checks for payment for livestock purchases without having sufficient funds on deposit and available in the account on which the checks were drawn, and from purchasing livestock under any trade name other than Rick Thompson Livestock without first registering or obtaining an amendment of the registration which approves the use of a new trade name. Finally, they were ordered to keep and maintain accounts, records and memoranda which fully and correctly disclose all transactions in their business subject to the P&S Act and regulations.



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Rickey Thompson was suspended as a registrant for five years. The final four years of the suspension will be held in abeyance on the condition that Thompson does not continue in business during the first year of the suspension.

As part of the suspension, Rickey Thompson can not be employed by any dealer, market agency, packer, business associate, family member, or any other affiliation or entity, whether paid or unpaid, to perform any activities in connection with livestock transactions subject to the jurisdiction of the P&S Act for one year.

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News Release

Release No.: 58-03

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GIPSA Publishes Notice Proposing To Post 5 Stockyards

WASHINGTON, November 7, 2003 - The Grain Inspection, Packers and Stockyards Administration today published a notice in the Federal Register proposing to post 5 stockyards.

Section 302 (b) of the P&S Act requires the Secretary to determine which stockyards meet the definition of a stockyard, and to notify the owner of the stockyard and the public of that determination by posting a notice in each designated stockyard. After giving notice to the stockyard owner and to the public, the stockyard will be subject to the provisions of Title III of the Packers and Stockyards Act (7 U.S.C. 201-203 and 205-217a) until the Secretary deposits the stockyard by public notice.

The facilities GIPSA proposes to post are: 101 Livestock Auction, Blackwell, Arkansas; Bradley-Wayside Auction Co., Inc., Gray, Georgia; Gainesville Livestock Auction, Inc., Gainesville, Missouri; Lewisburg Livestock, Columbia, Tennessee; and WFA Cattle Sales, Brooklyn, Wisconsin.

The public has fifteen days in which to comment on the proposed posting of any of the 5 stockyards. Further information can be obtained from the Federal Register Notice, and can be found on the GIPSA website at www.usda.gov/gipsa by following the link titled Rulemaking.

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News Release

Release No.: 59-03

Contact:
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GIPSA Publishes Notice Posting 2 Stockyards

WASHINGTON, November 7, 2003 - The Grain Inspection, Packers and Stockyards Administration today published a notice in the Federal Register posting 2 stockyards.

Section 302 (b) of the P&S Act requires the Secretary to determine which stockyards meet the definition of a stockyard, and to notify the owner of the stockyard and the public of that determination by posting a notice in each designated stockyard. After giving notice to the stockyard owner and to the public, the stockyard will be subject to the provisions of Title III of the Packers and Stockyards Act (7 U.S.C. 201-203 and 205-217a) until the Secretary deposits the stockyard by public notice. The Federal Register Notice published today notifies the public that the two stockyards meet the definition of stockyard and that GIPSA posted the stockyards.

The facilities GIPSA posted are: Hendrix Horse Auction, Hartsville, South Carolina, posted on April 8, 2002; and Texas Cattle Exchange, Inc., Eastland, Texas, posted on December 11, 2000. The date of posting was the date on which the posting notices were physically displayed.

Further information can be obtained from the Federal Register Notice, and can be found on the GIPSA website at www.usda.gov/gipsa by following the link titled Rulemaking.

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News Release

Release No.62-03

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USDA Announces Swine Contract Library Available

WASHINGTON, Dec. 3, 2003 - The Grain Inspection, Packers and Stockyards Administration today announced that the Swine Contract Library is now available on the web.

“The Swine Contract Library is up and running,” Donna Reifschneider, GIPSA Administrator, said. “This tool will help producers, industry members and the public understand the hog market by providing information about hog contracts and contract terms available in one place.”

The Swine Contract Library was mandated by the Livestock Mandatory Reporting Act of 1999, and requires the Secretary establish a contract library or catalog of types of contracts used to purchase to hogs by packers. The law further requires that information be made available to hog producers and other interested parties on a “real time” basis if practicable.

In addition, the number of hogs under contract to packers will be reported on a monthly and regional basis.

“This on-line library of hog contract terms provides an efficient and effective way of getting timely and accurate information to hog producers and other members of the industry,” Reifschneider said. “For those who don’t have computers at home or in their place of business, they can get help through local libraries, many of which offer internet access, or by asking their local Extension Service office.

GIPSA began collecting data from packers with the publication of the Swine Contract Library final rule in the Federal Register on August 11, 2003. GIPSA then extracted relevant contract terms and categorized the contract terms by geographic regions and contract type. The contract information is published according to the various contract terms. These contract terms include the pricing formulas, premium/discount grids, ledger account terms, noncarcass premiums/discounts, and other provisions. No individual producer or packer can be tied to a specific contract. The contract terms are now published on the Internet and can be accessed at <http://scl.gipsa.usda.gov/>. Gregory J. Hawkins 202-720-3553



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News Release

Release No.: 63-03

Contact:
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GIPSA Requests Proposals For Livestock Marketing Study

WASHINGTON, Dec. 5, 2003 - The Grain Inspection, Packers and Stockyards Administration today announced the availability of a Request for Proposal to solicit outside contractors to conduct a Livestock and Meat Marketing Study funded by Congress in the FY 2003 appropriations legislation.

“The study will look at a lot of issues in the cattle, hog, lamb and meat industries,” Donna Reifschneider, GIPSA administrator said. “This is a large and complex study that will examine a broad range of marketing practices in those industries. It will draw on economics, business management, statistics and other academic disciplines.”

Persons interested in bidding must contact Barbara Veres, Contract Specialist, Department of Agriculture, Animal and Plant Health Inspection Service, Administrative Services Division/SCSC, 4700 River Road, Unit 45, Riverdale, MD, 20737. Requestors will need to provide their name, address, telephone number, email address and the solicitation number APHIS-04-006. Requests can also be faxed to (301)734-8871, or e-mailed to: Barbara.L.Veres@aphis.usda.gov.

Interested parties have until 2:30 p.m. Eastern Standard time on January 14, 2004, to submit proposals. Further information on the Livestock and Meat Marketing Study can be found on the Internet on the GIPSA website (<http://www.usda.gov/gipsa>) by following the Marketing Study link under Hot Issues.

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News Release

Release No.: 64-03

Contact:
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GIPSA Requests Information Collection Approval

WASHINGTON, Dec. 8, 2003 - The Grain Inspection, Packers and Stockyards Administration today published a notice in the Federal Register announcing the intent to request a 3 year extension of the Agency's approved information collection documents.

The notice announces GIPSA's intention to request a 3 year extension and revision of the currently approved information collection documents. GIPSA collects information from livestock auction markets, livestock dealers, packer buyers, meat packers, and live poultry dealers under the Packers and Stockyards Act.

The public has until February 6, 2004 to comment on GIPSA's request for extension and revision of its approval for information collection documents. Approval of the information collection documents is required under the Paperwork Reduction Act.

Additional information can be obtained from the Federal Register Notice that can be found on the GIPSA website at <http://www.usda.gov/gipsa/rulemaking/2003/12-8-03.pdf>.

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News Release

Release No.: 65-03

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GIPSA Holds Pre-Solicitation Conference For Livestock Marketing Study

WASHINGTON, Dec. 9, 2003 - The Grain Inspection, Packers and Stockyards Administration today announced that a pre-solicitation conference will be held December 16, 2003, for those interested in bidding on the solicitation to conduct the Livestock and Meat Marketing Study funded by Congress in the FY 2003 appropriations legislation.

“The pre-solicitation conference will consist of an overview of the contracting, cover the technical requirements, and other contracting issues,” Donna Reifschneider, GIPSA administrator said. “It is especially important because this is a large and complex study that will examine a broad range of marketing practices in the cattle, hog, lamb, and meat industries.”

The pre-solicitation conference will be held at 10:00 a.m., December 16, 2003, in Room 1623, South Building, U.S. Department of Agriculture, 14th and Independence Avenues, S.W., Washington, D.C. The meeting will be conducted by contracting personnel from USDA’s Animal and Plant Health Inspection Service for persons interested in submitting bids to conduct the study.

To obtain the Request for Proposals, bidders must contact Barbara Veres, Contract Specialist, Department of Agriculture, Animal and Plant Health Inspection Service, Administrative Services Division/SCSC, 4700 River Road, Unit 45, Riverdale, MD, 20737. Requestors will need to provide their name, address, telephone number, email address and the solicitation number APHIS-04-006. Requests can also be faxed to (301)734-8871, or e-mailed to: Barbara.L.Veres@aphis.usda.gov. Bidders who have questions about the solicitation who wish to have their questions addressed at the pre-solicitation conference should submit their questions in advance to Barbara Veres.

Interested parties have until 2:30 p.m. Eastern Standard time on January 14, 2004, to submit proposals. Further information on the Livestock and Meat Marketing Study can be found on the Internet on the GIPSA website (<http://www.usda.gov/gipsa>) by following the Marketing Study link under Hot Issues. 7.25 Gregory J. Hawkins 202-720-3553



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News Release

Release No.: 66-03

Contact:
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GIPSA Complaint Issued Against Curtis W. Minzenmayer

WASHINGTON, Dec. 30, 2003 - On December 16, 2003, USDA's Grain Inspection, Packers and Stockyards Administration issued an administrative complaint against Curtis W. Minzenmayer (Minzenmayer) of Abilene, Texas. Minzenmayer is engaged in the business of buying and selling livestock in commerce for his own account and as a registered dealer subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.'

The complaint alleges that Minzenmayer violated the P&S Act and regulations by issuing checks in payment for livestock that were returned unpaid by the bank because he did not have sufficient funds available in the account. The complaint further alleges that Minzenmayer failed to pay, when due, the full purchase price of livestock. As of January 16, 2003, a total of \$166,583.83 remained unpaid.

Minzenmayer has 20 days from receiving the complaint to file an answer to the allegations outlined in the complaint. Failure to file an answer within the time allowed will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegations are admitted, or proven in an oral hearing, Minzenmayer may be ordered to stop violating the P&S Act, suspended as a registrant operating under the P&S Act, and assessed a civil penalty.

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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Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.