

# News Release Archive

2004

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# News Release

Release No.: 02-04

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## **GIPSA Releases Revised Test Performance Specifications For Quantitative Aflatoxin Test Kits**

Washington, Jan. 28, 2004 -- The USDA, Grain Inspection, Packers and Stockyards Administration (GIPSA) today announced they are revising the evaluation standards on commercial test kits for quantitative determination of aflatoxin in grains and commodities using a revised protocol.

Aflatoxin is a toxin produced by a mold and can be present in corn, sorghum, wheat, and other grains. GIPSA is announcing that the criteria have been modified to reduce potential biases between test kits by requiring the use of naturally contaminated grain in the evaluation procedure. GIPSA is very interested in technology that improves accuracy, precision, reduces analysis time or costs, and/or simplifies the analytical procedure used in the Official Inspection System.

Successful evaluations receive a Certificate of Conformance and are required before a test kit can be used in the Official Inspection System. Test kits are very important to the Official Inspection System for providing quick and accurate analyses for mycotoxins.

Copies of the document may be obtained by contacting Tim Norden, GIPSA Technical Services Divisions, 816-891-0470, or by e-mail at [Tim.D.Norden@usda.gov](mailto:Tim.D.Norden@usda.gov).

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# News Release

Release No.: 03-04

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## **GIPSA's Export Grain Quality Report Available**

WASHINGTON, Feb. 13, 2004 - The USDA Grain Inspection, Packers and Stockyards Administration (GIPSA) today released its latest report on the quality of U.S. grain exports.

Published annually, GIPSA's "2003 U.S. Grain Exports: Quality Report" is the twentieth annual edition of this report that summarizes the quality of export wheat, corn, soybeans, sorghum, barley, flaxseed, sunflower seeds and canola. It is based on data collected during the official inspection of export grain shipments in calendar year 2003.

The report is available electronically on GIPSA's web site at <http://www.usda.gov/gipsa/pubs/03ex/03export.htm>. Hard copies are available in limited quantities and may be requested by calling 202-720-5091 or via electronic mail to [dana.b.stewart@usda.gov](mailto:dana.b.stewart@usda.gov).

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# News Release

Release No.: 05-04

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## **GIPSA's Grain Inspection Advisory Committee To Meet**

WASHINGTON, March 1, 2004 - The USDA, Grain Inspection, Packers and Stockyards Administration's Grain Inspection Advisory Committee will meet May 4-5, 2004, in Kansas City, Mo.

The Committee meeting will take place from 7:30 a.m.-5:00 p.m., May 4, 2004, and 7:30 a.m.- Noon, May 5, 2004, 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 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.

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# News Release

Release No.: 04-04

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## GIPSA Official Designation Activities

WASHINGTON, D.C. (March 1, 2004) - 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 Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, North Carolina, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin.

- GIPSA is asking for applicants to provide official services in the Amarillo, Texas; Cairo, Illinois; Baton Rouge, Louisiana; Raleigh, North Carolina; Belmond, Iowa; and Madison, Wisconsin Areas. GIPSA is asking for applications and comments about the current service providers by April 1, 2004.
- Champaign-Danville Grain Inspection Departments, Inc. (Champaign), Detroit Grain Inspection Service, Inc. (Detroit), Eastern Iowa Grain Inspection and Weighing Service, Inc. (Eastern Iowa), Enid Grain Inspection Company, Inc. (Enid), Keokuk Grain Inspection Service (Keokuk), and Michigan Grain Inspection Services, Inc. (Michigan) are designated to inspect grain effective April 1, 2004 through March 31, 2007. Champaign, Enid, and Keokuk are also designated to weigh grain. For official grain inspection services, contact Champaign at 217-398-0723, Detroit at 810-395-2105, Eastern Iowa at 563-322-7140, Enid at 580-233-1121, Keokuk at 319-524-6482, and Michigan at 269-781-2711.

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.: 0137-04

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## Veneman Names Grain Inspection Advisory Committee Members And Alternates

WASHINGTON, April 6, 2004 - Agriculture Secretary Ann M. Veneman today announced the appointment of six members and five alternate members to serve on the U.S. Department of Agriculture's Grain Inspection Advisory Committee. The appointees will serve 3-year terms.

"I am pleased that these individuals have agreed to serve on the Grain Inspection Advisory Committee," said Veneman. "They bring a great deal of knowledge and experience to this board."

The new members are: Paul A. Coppin, general manager, Reynolds United Co-op, Reynolds, N.D.; Warren J. Duffy, Jr., vice president, Archer Daniels Midland, Ama, La.; Patricia B. Dumoulin, farmer/retired college professor, Hampshire, Ill.; Arvid L. Hawk, grain handling coordinator, Cargill, Inc., Wayzata, Minn.; J.L. Meibergen, II, president/CEO, Johnston Enterprises, Inc.; Enid, Okla.; and Ernest Potter, CPA/manager, May, Cocagne & King, P.C., CPAs; Gilman, Ill.

The new alternate members are: Brent Christopherson, products manager, SODA Feed Ingredients LLC, Dversville, Iowa; Thomas L. Fousek, grain merchant/manager, Bartlett Grain, L.P.; Kansas City, Mo.; Gregory L. Guenther, owner/farmer, Belleville, Ill.; Larry Kitchen, program administrator, State of Missouri, Missouri Department of Agriculture; Jefferson City, Mo.; and Stan R. Stark, CEO/general manager, Cooperative Agricultural Services, Inc.; Oakley, Kan.

The Grain Inspection Advisory Committee is comprised of 15 members and 15 alternate members appointed by the Secretary of Agriculture who represent all facets of the grain industry. The Committee meets twice annually to advise USDA on the establishment of programs and services under the U.S. Grain Standards Act.

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# News Release

Release No.: 08-04

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## **GIPSA Changing Inspection And Weighing Fee Schedule**

WASHINGTON, May 13, 2004 - The USDA Grain Inspection, Packers and Stockyards Administration is changing the fee schedule for official inspection and weighing services performed under the authority of the U.S. Grain Standards Act, as amended.

According to GIPSA administrator Donna Reifschneider, the changes are needed to cover the cost of providing services, replenish the retained earnings accounts and to maintain a 3-month operating reserve. "Maintaining GIPSA's financial stability will ensure continued provision of the inspection and weighing services that the grain industry relies on to facilitate the sound and orderly marketing of grain in domestic and export markets," Reifschneider said.

The USGSA authorizes GIPSA to charge and collect reasonable fees to cover the cost of performing official services, and costs associated with administrative and supervisory activities related to official services.

Specifically, GIPSA is eliminating 3-month and 6-month contracts because they are not widely used; increasing the 1-year contract hourly rate and the non-contract hourly rate; increasing hourly rates for services not performed at an applicant's facility; increasing unit fees for additional tests provided by GIPSA; replacing the 6-level administrative tonnage fee with regional administrative tonnage fees; replacing the unit fee charged to delegated States for export ships with a tonnage fee; increasing hourly fees for special weighing services; and establishing a usage fee per facility when the GIPSA test car is used to test track scales.

- The fee schedule change becomes effective June 14, 2004.
- The final rule is on GIPSA's web site at: <http://www.usda.gov/gipsa/rulemaking/fr04/5-13-04.pdf>.

For further information, contact David Orr, director, Field Management Division, at e-mail address [David.M.Orr@usda.gov](mailto:David.M.Orr@usda.gov) or at telephone (202) 720-0228.  
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# News Release

Release No.: 09-04

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## **GIPSA Launches Web-Based Wheat Quality Discussion Forum**

WASHINGTON, May 17, 2004 - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) today announced the launch of a Web site to help develop rapid tests of wheat end-use quality. GIPSA, the industry, and academia will use this Web site as the discussion forum to foster development of these tests.

"International and domestic customers of U.S. wheat want tests that predict end-use quality characteristics," said GIPSA Administrator Donna Reifschneider. "This forum will make wheat end-use functionality testing a reality by drawing upon the ideas and expertise from a diverse group of scientists."

This site includes information about the wheat research initiatives and programs of GIPSA, academia and the industry. The Wheat Gallery is accessible via the GIPSA Web site at [http://www.usda.gov/gipsa/wheat\\_gallery/index.htm](http://www.usda.gov/gipsa/wheat_gallery/index.htm).

For information about the Wheat Gallery contact Patrick McCluskey, GIPSA Field Management Division, at (202) 720-4684.

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# News Release

Release No.: 10-04

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## GIPSA Official Designation Activities

WASHINGTON, June 1, 2004 - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following actions on designations to officially inspect and weigh grain in specified areas in Arizona, Indiana, Iowa, Louisiana, Michigan, Nebraska, New Mexico, Ohio, and Texas.

- GIPSA is seeking applicants to provide official services in the Columbus, Ohio; Farwell, Texas; and Hoagland, Indiana, areas. GIPSA is asking for applications and comments about the current service providers by July 1, 2004.
- GIPSA is requesting comments on the applicants to provide official services in the Amarillo, Texas, and Baton Rouge, Louisiana, geographic areas. Amarillo Grain Exchange, Inc., applied for their currently assigned area, except for Beckham, Ellis, Harper, and Roger Mills Counties in Oklahoma. Enid Grain Inspection Company, Inc., a currently designated official agency, applied for Beckham, Ellis, Harper, and Roger Mills Counties in Oklahoma. Louisiana Department of Agriculture and Forestry applied for their currently assigned area. BSI Inspectorate Services, Inc., an unofficial agency with offices in Galena Park, Texas, and Convent, Louisiana, applied for designation in the area currently assigned to Louisiana Department of Agriculture and Forestry. Comments are due by July 1, 2004.
- East Indiana Grain Inspection, Inc., Fremont Grain Inspection Department, Inc., and Titus Grain Inspection, Inc. are designated to inspect grain effective July 1, 2004, through June 30, 2007. For official grain inspection services, contact East Indiana at 765-289-1206, Fremont at 402-721-1270, and Titus at 765-497-2202.

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

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# News Release

Release No.: 14-04

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## **GIPSA Names New Compliance Division Director**

WASHINGTON, July 15, 2004 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) named John Sharpe as the new director of the agency's compliance division.

"John's leadership and technical capabilities are valuable assets to the agency," said GIPSA Administrator Donna Reifschneider. "We are delighted with the experience, technical and managerial skills and integrity he brings to this critically important position."

The compliance division protects the integrity of the national grain inspection and weighing system. The division ensures industry and official inspection system adherence to the U.S. Grain Standards Act and Agricultural Marketing Act and their respective regulations. It also administers a preventive compliance program to identify and correct any problems that might adversely affect the operation, accuracy or integrity of the official system.

Sharpe brings to the position a lifetime of agricultural experience, valuable skills and expertise gained during his diverse and highly accomplished professional career. A Florida native, he attended the University of Florida where he earned a degree in Food and Resource Economics and Animal Science. Before joining USDA in 1982, Sharpe managed a corporate sugar cane farm and worked with the Georgia Department of Agriculture. While with USDA, he worked for the Agricultural Marketing Service, the Agricultural Stabilization and Conservation Service (now the Farm Service Agency) and GIPSA's Federal Grain Inspection Service. Most recently, Sharpe was chief of GIPSA's data and information analysis branch, where he re-engineered the agency's national quality control program and developed a new process verification program designed to meet the evolving needs of agriculture.

Sharpe replaces Neil Porter, who was director from 1993 until his retirement on July 3, 2004.

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# News Release

Release No.: 15-04

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## GIPSA Official Designation Activities

WASHINGTON, July 26, 2004 - 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 Illinois.

GIPSA announces that Kankakee Grain Inspection, Inc., is designated to provide Class X or Class Y weighing services under the United States Grain Standards Act, as amended. This action is effective June 25, 2004 through December 31, 2005, coinciding with their current designation. For official services, contact Kankakee at 815-365-2268.

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

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# News Release

Release No.: 16-04

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## **GIPSA Announces Quality Management Training**

WASHINGTON, August 9, 2004 - USDA's Grain Inspection, Packers and Stockyards Administration, in collaboration with USDA's Agricultural Marketing Service, will offer a training session called "Creating and Documenting a Quality Management System." Any interested party who is currently operating a grain, feed, seed, or associated agribusiness and using a quality management system, or who is developing a quality management system for review by USDA may participate in the training.

The training will cover ISO 9001:2000 and ISO Guide 65 quality systems, USDA's Process Verified Programs, and the Quality System Assessment Program.

The 2-day training session will be held on Tuesday, August 31, 2004 and Wednesday, September 1, 2004 at the GIPSA Technical Center, located near the Kansas City, Missouri, airport. Space is limited and participation is on a first-come, first-served basis. Additional training sessions may be scheduled in other locations if warranted by demand.

To participate in the training session, contact Beth Hayden at telephone 202-205-4007, or via email to [Beth.E.Hayden@usda.gov](mailto:Beth.E.Hayden@usda.gov).

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# News Release

Release No.: 17-04

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## **GIPSA To Use Artificial Neural Network Wheat Protein Calibration**

Washington, DC (August 27, 2004) - The USDA Grain Inspection, Packers and Stockyards Administration will begin using an Artificial Neural Network (ANN) calibration for official wheat protein measurements on official near-infrared transmittance (NIRT) instruments effective May 1, 2005.

Currently, GIPSA maintains six discrete partial least squares (PLS) calibrations to determine protein content for each of the six major classes of wheat -- Hard Red Winter, Soft Red Winter, Soft White, Hard Red Spring, Hard White, and Durum. The ANN technology allows use of a single calibration for protein determinations in all six classes.

According to GIPSA administrator Donna Reifschneider, the change from PLS to ANN is expected to improve the accuracy and consistency of official wheat protein results.

GIPSA's comprehensive evaluation of ANN technology and other ANN-related information is available on GIPSA's website at: <http://archive.gipsa.usda.gov/techservsup/metheqp/ann/ann.htm>.

GIPSA provides protein content measurement in wheat as official criteria under the authority of the United States Grain Standards Act.

The notice announcing the change was published in today's Federal Register.

For further information, contact Steven Tanner, Director, Technical Services Division, (816) 891-0401.

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# News Release

Release No.: 18-04

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## GIPSA Official Designation Activities

WASHINGTON, Sept. 1, 2004 - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announces the following actions on designations to officially inspect and weigh grain in specified areas in Arizona, Illinois, Indiana, Iowa, Kentucky, Louisiana, Minnesota, New Mexico, North Carolina, North Dakota, Oklahoma, Tennessee, Texas, and Wisconsin.

- GIPSA is asking for applicants to provide official services in the Owensboro, Kentucky; Bloomington, Illinois; Iowa Falls, Iowa; Minnesota; Fargo, North Dakota; Grand Forks, North Dakota; and Plainview, Texas, areas. GIPSA is asking for applications and comments about the current service providers by October 1, 2004.
- Amarillo Grain Exchange, Inc. (Amarillo); Cairo Grain Inspection Agency, Inc. (Cairo); Louisiana Department of Agriculture and Forestry (Louisiana); North Carolina Department of Agriculture (North Carolina); and D. R. Schaal Agency, Inc. (Schaal) are designated to inspect grain effective October 1, 2004, through September 30, 2007. Wisconsin Department of Agriculture, Trade and Consumer Protection (Wisconsin) is designated to inspect grain effective October 1, 2004, through September 30, 2005. Enid Grain Inspection Company, Inc. (Enid) amended their designation to add four counties in Oklahoma, in addition to the area they already serve. For official grain inspection services, contact Amarillo at 806-372-8511, Cairo at 618-734-0689, Enid at 580-233-1121, Louisiana at 337-948-0230, North Carolina at 919-733-4491, Schaal at 641-444-3122, and Wisconsin at 608-224-4922.

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

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# News Release

Release No.: 20-04

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## **GIPSA Announces Quality Management Training**

WASHINGTON, September 15, 2004 -- USDA's Grain Inspection, Packers and Stockyards Administration, in collaboration with USDA's Agricultural Marketing Service, will offer a training session called "Creating and Documenting a Quality Management System. Any interested party who is currently operating a grain, feed, seed, or associated agribusiness and using a quality management system, or who is developing a quality management system for review by USDA may participate in the training.

The training will cover ISO 9001:2000 and ISO Guide 65 quality systems, USDA's Process Verified Programs, and the Quality System Assessment Program.

A 2-day training session will be held on Wednesday, October 6, 2004 and Thursday, October 7, 2004 near the Minneapolis/St. Paul airport at a location yet to be determined. An additional training session is scheduled for Wednesday, November 17, 2004 and Thursday, November 18, 2004 at the GIPSA Technical Center, located near the Kansas City, Missouri, airport. Space for each session is limited and participation is on a first-come, first-served basis.

To participate in the training sessions, contact Beth Hayden at telephone 202-205-4007, or via email to [Beth.E.Hayden@usda.gov](mailto:Beth.E.Hayden@usda.gov)

Gregory J. Hawkins  
(202) 720-3553



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# News Release

Release No.: 38-04

Contact:  
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## **USDA Seeks Members For Grain Inspection Advisory Committee**

WASHINGTON, Oct. 21, 2004 - The U.S. Department of Agriculture today announced it seeks nominations for individuals to serve on the Grain Inspection Advisory Committee. Nominations are being sought for five members and five alternates, who will serve 3-year terms in March 2005.

The committee, whose members represent all facets of the grain industry, is comprised of 15 members and 15 alternates appointed by the secretary of agriculture. The committee meets twice annually to advise USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) on the programs and services it delivers under the U.S. Grain Standards Act. Recommendations by the committee also helps GIPSA to better meet the needs of its 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.

Individuals interested in serving on the advisory committee or in nominating individuals to serve, should contact GIPSA, by telephone (202) 205-8281, by fax (202) 205-4714 or by e-mailing [Terri.L.Henry@usda.gov](mailto:Terri.L.Henry@usda.gov) and request Nomination Form AD-755.

Nomination forms also are available from the GIPSA 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 Nov. 22. A notice to solicit nominees was published in the Sept. 21 Federal Register.

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# News Release

Release No.: 01-04

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## **GIPSA To Use Artificial Neural Network Barley Protein Calibration**

Washington, DC (November 4, 2004) - The USDA Grain Inspection, Packers and Stockyards Administration will begin offering official barley protein measurements using an Artificial Neural Network (ANN) calibration on official near-infrared transmittance (NIRT) instruments. The barley protein content testing service will be available, upon request, beginning July 1, 2005.

This marks the first official test for barley protein content. Recently developed state-of-the-art ANN calibration development techniques allow for barley and wheat protein content to be determined with a greater degree of accuracy than was possible with more limited calibration approaches. GIPSA will begin using an ANN calibration for official wheat protein content measurement in May 2005.

According to GIPSA administrator Donna Reifschneider, the new official barley protein service will facilitate the marketing of barley by providing a fair, accurate, and transparent third party determination, backed by a national quality control process, and standardized instrumentation, reference samples, calibrations and procedures.

Technical information on barley protein testing using ANN technology is available on GIPSA's website at: <http://www.usda.gov/gipsa/tech-servsup/metheqp/ann/ann.htm>.

GIPSA provides protein content measurement in barley as official criteria under the authority of the United States Grain Standards Act. The notice announcing the change was published in today's Federal Register. For further information, contact Steven Tanner, Director, Technical Services Division, (816) 891-0401

Dana Stewart (202) 720-5091  
[dana.b.stewart@usda.gov](mailto:dana.b.stewart@usda.gov)



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# News Release

Release No.: 44-04

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## **GIPSA Verifies Performance Of Test Kit To Detect Cry9C In Corn**

WASHINGTON, DC (November 15, 2004) - The USDA Grain Inspection, Packers and Stockyards Administration today announced it verified that the EnviroLogix, Inc. QuickStix(TM) Test Kit #AS 008 BG Qualitative Lateral Flow Strip Kit detects the presence of one kernel of Cry9C 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 Tim Norden, GIPSA Technical Services Division, 816-891-0470, or by e-mail at [Tim.D.Norden@usda.gov](mailto:Tim.D.Norden@usda.gov).

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# News Release

Release No.: 43-04

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## **GIPSA Verifies Performance Of Test Kit To Detect Aflatoxin In Corn**

WASHINGTON, DC (November 15, 2004) - The USDA Grain Inspection, Packers and Stockyards Administration today announced it verified that the EnviroLogix, Inc. QuickStix (TM) Kit for Aflatoxin in Bulk Grain, #AS 101 BG Qualitative Lateral Flow Strip Kit detects the presence of aflatoxin at a threshold of 20 parts per billion in corn 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 Tim Norden, GIPSA Technical Services Division, 816-891-0470, or by e-mail at [Tim.D.Norden@usda.gov](mailto:Tim.D.Norden@usda.gov).

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# News Release

Release No.: 46-04

Contact:  
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## GIPSA Official Designation Activities

WASHINGTON, D.C. (December 1, 2004) - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announces the following actions on designations to officially inspect and weigh grain in specified areas in Arizona, Georgia, Illinois, Iowa, Indiana, Michigan, Minnesota, Montana, New Mexico, Ohio, and Texas.

- GIPSA is asking for applicants to provide official services in the Georgia, Cedar Rapids, Iowa, Lake Village, Indiana, and Montana areas. GIPSA is asking for applications and comments about the current service providers by January 3, 2005.
- GIPSA is requesting comments on the applicants to provide official services in the Minnesota geographic areas. Minnesota Department of Agriculture applied for their currently assigned area. Sioux City Inspection and Weighing Service Company, a currently designated official agency, applied for all or part of the following Minnesota Counties: Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Watonwan, and Yellow Medicine. Southern Minnesota Grain Inspection, an unofficial inspection company applied for all or part of the area currently assigned to Minnesota, and specified all or part of the following Minnesota Counties: Blue Earth, Cottonwood, Faribault, Jackson, Martin, Murray, Nobles, and Watonwan. Comments are due by January 3, 2005.
- Columbus Grain Inspection, Inc. (Columbus); Farwell Grain Inspection, Inc. (Farwell); and Northeast Indiana Grain Inspection, Inc. (Northeast Indiana) are designated to inspect grain effective January 1, 2005, through December 31, 2007. For official grain inspection services, contact Columbus at 740-474-3519, Farwell at 806-481-9052, and Northeast Indiana at 260-639-6390.

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

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# News Release

Release No.: 01-04

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## **GIPSA Publishes Notice Deposting Four Stockyards**

WASHINGTON, Jan.13, 2004 - The Grain Inspection, Packers and Stockyards Administration today published a notice in the Federal Register announcing that the Agency is deposing 4 stockyards. The facilities can no longer be 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 when 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 operation 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.

The stockyards that are deposed are: Western Slope Livestock Auction, Montrose, Colorado; Weiser Livestock Commission, Weiser, Idaho; Nixa Livestock Auction Co., Nixa, Missouri; and Ennis Livestock Market Co., Ennis, Texas. Further information can be found on the GIPSA website at [www.usda.gov/gipsa](http://www.usda.gov/gipsa) by following the link titled Rulemaking.

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# News Release

Release No.: 07-04

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## **USDA Issues Decision Against Jerry Hayes Meats And Jerome A. Hayes**

WASHINGTON, April 21, 2004 - On Dec. 18, 2003, the United States Department of Agriculture (USDA) issued a default decision against Jerry Hayes Meats, Inc. (Hayes Meats) and Jerome A. Hayes (Hayes) of Vestal, N.Y. Hayes Meats is a packer subject to the requirements of the Packers and Stockyards Act (P&S Act.) Hayes is the alter ego of Jerry Hayes Meats and is also registered under the P&S Act as a packer buyer.

The decision is based on a complaint filed by USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) on July 23, 2003. The complaint alleged that Jerry Hayes Meats and Jerry Hayes violated the P&S Act by (1) failing to maintain an adequate bond or bond equivalent, (2) issuing insufficient funds checks for livestock purchased for slaughter, (3) failing to pay and pay when due for the full purchase price of livestock, and (4) failing to maintain business records that fully and correctly disclosed all transactions involved in the business of a packer. Previously, Hayes Meats and Hayes were named in a 1995 disciplinary action in which they were ordered to stop these same practices and were assessed a \$10,500 civil penalty.

Hayes Meats and Hayes have been ordered to (1) stop operating without maintaining an adequate bond or bond equivalent, (2) stop issuing insufficient funds checks, (3) stop failing to pay and pay when due the full purchase price of livestock, (4) keep accounts and records that fully disclose all transactions of Hayes Meats as a packer. More specifically Hayes Meats and Hayes were ordered to make and keep: kill sheets; accounts receivable records; sales invoices; accounts payable; purchase invoices; cash disbursements and cash receipts journals; check registers, check copies or check stubs showing date, payee and amount of all checks written; and notices received from the bank when checks are returned. Additionally, Hayes Meats and Hayes were assessed a civil penalty of \$17,000.

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.: 06-04

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## **Decision Reached In GIPSA's Case Against Topeka Livestock And Robert Bale**

WASHINGTON, April 21, 2004 - On Dec. 18, 2003, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a consent decision with Topeka Auction & Marketing Inc., doing business as Topeka Livestock Auction (Topeka), and Robert Bale (Bale), Topeka, Ind. Topeka is registered under the Packers and Stockyards Act (P&S Act) as a dealer and as a market agency buying and selling livestock on a commission basis. Bale, president and 50 percent owner of Topeka, was named in the complaint and is subject to the Dec. 18, 2003 decision.

The consent decision follows a March 18, 2003, administrative complaint filed by GIPSA against Topeka and Bale. The complaint alleged that Topeka and Bale violated the P&S Act by failing to properly maintain Topeka's custodial account (by having insufficient funds in the custodial account to pay shippers' proceeds) and misusing the custodial account.

The consent decision orders Topeka and Bale to properly maintain Topeka's custodial account and to stop misusing custodial account funds. Topeka and Bale were assessed a civil penalty of \$30,000.

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.: 11-04

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## **Decision Issued Against Lee Andrew Jarosek II D.B.A. Joe Cattle Co.**

Washington, May 27, 2004 - On May 7, 2004 the U.S. Department of Agriculture issued a default decision against Lee Andrew Jarosek, II who is doing business as Joe Cattle Company (Joe Cattle) of Bastrop, Texas. Joe Cattle is engaged in the business of buying and selling livestock in commerce for his own account and as a registered dealer, a market agency, and a clearor for two separately registered dealers. Joe Cattle is subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.

The default decision was issued after Joe Cattle failed to file a response to an administrative complaint issued by USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) on Sept. 24, 2003. The decision orders Joe Cattle to stop issuing checks in payment for livestock without having sufficient funds on deposit to pay the checks when they are presented for payment; and to stop failing to pay, when due, for the full purchase price of livestock. Under the terms of the order, Joe Cattle also was suspended as a registrant for a period of 5 years. After 180 days of his suspension have been served, Joe Cattle may ask the court to modify his suspension to allow his salaried employment by another registrant or packer.

The order came as a result of USDA's GIPSA filing a complaint against Joe Cattle alleging that he violated the P&S Act and regulations by issuing checks that were returned unpaid by the bank because there were insufficient funds in the account to pay checks when the checks were presented for payment. The complaint also alleged that Joe Cattle failed to pay, when due, the full purchase price of livestock. As of February 14, 2003, a total of \$145,898.21 remained unpaid by Joe Cattle.

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.: 12-04

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## **USDA Awards Livestock And Meat Marketing Study Contract**

WASHINGTON, June 18, 2004 - The U.S. Department of Agriculture today announced the Research Triangle Institute (RTI) has been awarded the contract to conduct an exhaustive study on livestock and meat marketing. The study was funded by Congress in the FY 2003 Omnibus Appropriations Bill. USDA awarded a single contract to RTI for \$4,319,373 to study the cattle, hog and lamb industries.

“This study will give producers better information on which to base their decisions on whether to participate in non-traditional marketing arrangements and, if so, which ones,” said Donna Reifschneider, administrator of USDA’s Grain Inspection, Packers and Stockyards Administration.

“It also will provide information on the role of alternative marketing arrangements, the extent of their use, reasons why firms enter into them and the implications of their use. And, the study will help identify emerging marketing information needs of livestock producers and other market participants.”

Reifschneider also said the study will provide objective information for market participants, Congress and USDA to consider while confronting the challenges facing the cattle, hog and lamb industries.

RTI, located at Research Triangle Park, NC, is an independent, non-profit corporation that conducts business in scientific research and technology development. It specializes in bringing a multidisciplinary team approach to research projects. RTI developed a coalition of researchers to conduct the study, including representatives from Colorado State University, Iowa State University, Kansas State University, Montana State University, North Carolina State University and The Wharton School at the University of Pennsylvania.



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USDA published initial plans for the study for public comment in the Federal Register on May 30, 2003. After considering the public comments and consulting with an interagency working group with members from USDA, the Department of Justice, Federal Trade Commission and the Commodities Futures Trading Commission, USDA released a request for proposals (RFP). Technical oversight on the contract will be provided by the USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA). RTI was selected through a competitive contracting process.

Information about the study, including the Federal Register notice, the public comments, RFP notices, and other available information is available on GIPSA's website ([www.usda.gov/gipsa](http://www.usda.gov/gipsa)), by following the "marketing study" icon.

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# News Release

Release No.: 13-04

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## **GIPSA Publishes Notice Proposing To Post, Posting, And Deposting Stockyards**

WASHINGTON, July 6, 2004 - Today the Grain Inspection, Packers and Stockyards Administration published a notice in the Federal Register announcing that the Agency is proposing to post nine stockyards. The Agency has received information that the stockyards meet the definition of a stockyard under the Packers and Stockyards Act and, therefore, need to be posted. Posted stockyards are subject to the provisions of the Packers and Stockyards Act. In this instance the Agency has determined that the stockyards meet the definition of a stockyard under the Packers and Stockyards Act and, therefore, need to be posted. GIPSA is also deposing one stockyard. This facility can no longer be used as a stockyard and, therefore, is 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.

The 9 stockyards that the Agency is proposing to post are:

- Mid State Stockyards, LLP, Letohatchee, Alabama
- Red Ryder Ranch, Lancaster, California;
- Wig Wam Livestock Market, Inc., Horse Cave, Kentucky;
- 4 B Auction Company, Ada, Oklahoma;
- West Point Stockyard, West Point, Mississippi;
- Beach's Dairy Auction, Martinsburg, Pennsylvania;
- Martin & Martin Cattle, Inc., Williamston, South Carolina;
- Starr Mountain Auction, Etowah, Tennessee; and
- Tri-County Commission Company, Santo, Texas.



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The 11 stockyards being posted are:

- Tulare Sales Yard, Inc., Tulare, California;
- B and B Livestock Auction, Madera, California;
- Fergus Falls Livestock Auction Market, Fergus Falls, Minnesota;
- Solomon's Horse Sale, Belmont, Mississippi;
- Cameron Livestock Sales, Warrensburg, Missouri;
- Southwest City Livestock Auction, L.L.C., Southwest City, Missouri;
- Gainesville Livestock Auction, Inc., Gainesville, Missouri;
- Perkins Livestock Sales, Inc., Perkins, Oklahoma;
- Bakers Auction, Butler, Oklahoma;
- Shamrock Livestock Commission, Shamrock, Texas; and
- Wythe County Livestock Exchange, L.L.C., Wytheville, Virginia.

The single deposed stockyard is Troy Sales, Troy, Pennsylvania.

Further information on the proposed posting, posting and deposing of these stockyards can be found on the GIPSA website at [www.usda.gov/gipsa](http://www.usda.gov/gipsa) by following the link titled Rulemaking.

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# News Release

Release No.: 19-04

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## **GIPSA Takes Next Step In Livestock And Meat Marketing Study**

WASHINGTON, Sept. 10, 2004 - Grain Inspection Packers and Stockyards Administration is taking the next step to completing the Livestock and Meat Marketing Study. This large and complex study will examine a broad range of marketing practices in the cattle, hog, lamb, and meat industries.

As part of the plan, there will be two new collection activities to support the study. One relates to the transactions data on procurement and sales to be collected from meat packers, meat processors, food wholesalers, food retailers, food service operations and meat exporters. The other is a survey that will be conducted regarding the use of alternative marketing arrangements for cattle, hogs, lamb, and their meat products among producers, feeders, dealers, meat packers, meat processors, food wholesalers, food retailers, food service operations, and meat exporters.

GIPSA published a notice in the Federal Register on Sept. 9 announcing a 60 day comment period on the collection activities. Interested parties may submit comments which must be received by November 8. Comments may be submitted by any of the following methods:

E-Mail: Send comments via electronic mail to [comments.gipsa@usda.gov](mailto:comments.gipsa@usda.gov).

Mail: Send hardcopy written comments to Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC 20250-3604.

Fax: Send comments by facsimile transmission to: (202) 690-2755.

Hand Delivery or Courier: Deliver comments to: Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC 20250-3604.

All comments should make reference to the date and page number (September 9, 2004, 69 FR 54629) of the Federal Register.



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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.: 23-04

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## **Strube Packing Company And Al Strube, III, Subject Of GIPSA Complaint**

WASHINGTON, Oct. 18, 2004 - On April 1, 2004, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Strube Packing Company and Al Strube, III (Strube) of Rowena, Texas. Strube buys livestock for slaughter and is a packer subject to the Packers and Stockyards Act (P&S Act) and regulations.

GIPSA alleges that Strube has engaged in a "deceptive and unfair trade practice" by back-dating, falsifying the date on checks, or holding the checks before mailing them. These practices indicate that Strube violated the P&S Act by failing to keep accounts, records, and memoranda that fully disclosed all transactions in its business as a slaughtering packer. GIPSA also alleges that Strube purchased livestock and failed to pay, when due, for the purchases amounting to \$221,718.01.

Failure to file an answer to GIPSA's complaint 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, Strube 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, meatpacking, and poultry industries.

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# News Release

Release No.: 26-04

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## Minzenmayer Subject Of USDA Default Decision

WASHINGTON, Oct. 18, 2004 - On April 22, 2004, USDA issued a default decision against Curtis 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.)

The default decision was issued after Minzenmayer failed to respond to and answer the allegations in a complaint issued by USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) on Dec. 16, 2003. The failure to answer the complaint constitutes an admission of the allegations. Minzenmayer has been ordered to stop issuing checks for the payment of livestock without having sufficient funds on deposit; and to stop failing to pay, when due, for the full purchase price of livestock. He was suspended as a registrant for a period of 5 years. After 180 days of his suspension have been served, Minzenmayer may ask USDA to modify his suspension to allow his salaried employment by another registrant or packer.

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# News Release

Release No.: 25-04

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## **GIPSA Issues A Complaint Against Little Joe Livestock Meats**

WASHINGTON, Oct. 18, 2004 - On June 16, 2004, GIPSA filed a complaint against Little Joe Livestock Meats, Inc. and Joseph Pagliuso (Little Joe) of Ontario, N.Y. Little Joe is engaged in the business of buying and selling livestock in commerce for its own account, and is a registered dealer subject to the requirements of the Packers and Stockyards Act (P&S Act.)

GIPSA alleges that Little Joe has issued checks in payment for livestock that were returned unpaid because Little Joe failed to keep and maintain sufficient funds in the account on which the checks were drawn.

Additionally Little Joe allegedly violated the P&S Act by failing to keep accounts, records, and memoranda that fully disclosed all transactions in its business. GIPSA also alleges that Little Joe purchased livestock and failed to pay, when due, for the purchases amounting to \$19,771.81.

Failure to file an answer to GIPSA's complaint 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, Little Joe 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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# News Release

Release No.: 21-04

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## Faron Helvey Subject Of GIPSA Complaint

WASHINGTON, Oct. 18, 2004 - On April 16, 2004, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Faron Helvey (Helvey) of Hondo, Texas. Helvey is registered under the Packers and Stockyards Act (P&S Act) as a dealer and a market agency, buying and selling livestock on a commission basis.

GIPSA alleges that Helvey has failed to maintain an adequate bond or bond equivalent. Failure to maintain an adequate bond or bond equivalent is a violation of the P&S Act.

Failure to file an answer to GIPSA's complaint will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegation is admitted, or proven in an oral hearing, Helvey 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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# News Release

Release No.: 37-04

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## **USDA Suspends Pruitt And Assesses A \$1,000 Civil Penalty**

Billy Pruitt of Richmond, Ky. Pruitt is engaged in the business of buying and selling livestock in commerce for his own account, and buying and selling livestock on a commission basis. Pruitt is a registered dealer and market agency subject to the requirements of the Packers and Stockyards Act (P&S Act.)

The default decision was issued because Pruitt failed to respond to GIPSA's complaint within the required time. The decision ordered Pruitt to stop engaging in business in any capacity for which bonding is required under the P&S Act without filing and maintaining an adequate bond. Pruitt has been suspended as a registrant until he meets the bonding requirements required by the P&S Act, and he has also been assessed a civil penalty of \$1,000.

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# News Release

Release No.: 28-04

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## **USDA Assesses Gildewell A Civil Penalty Of \$7,000**

WASHINGTON, Oct. 21, 2004 - On July 22, 2004, USDA issued a consent decision against Weldon Mack Gildewell doing business as Mineral Wells Stockyards Company and Weatherford Stockyards Company (Gildewell) of Mineral Wells, Texas. Gildewell is engaged in the business of buying and selling livestock in commerce for his own account, and buying and selling livestock on a commission basis at the stockyards. Gildewell is a registered dealer and market agency subject to the requirements of the Packers and Stockyards Act (P&S Act.)

The consent decision ordered Gildewell to deposit required amounts in its custodial account; maintain the custodial account according to requirements under the P&S Act and regulations; and to stop withdrawing market commissions when there are insufficient funds in the custodial account to pay consignors for the sale of their livestock. Gildewell was also ordered to pay a civil penalty of \$7,000.

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# News Release

Release No.: 22-04

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## Perkins Subject Of USDA Default Decision

WASHINGTON, Oct. 21, 2004 - On April 14, 2004, USDA issued a default decision against Ronald C. Perkins (Perkins) of Danbury, Neb. Perkins is a market agency buying livestock on commission, and a registered dealer subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.

The default decision was issued after Perkins failed to respond to and answer the allegations in a complaint issued by USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) on August 1, 2003. The failure to answer the complaint constitutes an admission of the allegations.

Perkins has been ordered to stop operating in any capacity where bonding is required under the P&S Act. He has been suspended as a market agency and dealer until he is able to demonstrate the he is in full compliance with the bonding requirements of the P&S Act and regulations. Additionally, Perkins was assessed a civil penalty of \$1,250.

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# News Release

Release No.: 33-04

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## **GIPSA Lodges Complaint Against Bobby L. Brotherton D.B.A. B&B Cattle Company**

WASHINGTON, Oct. 21, 2004 - On July 30, 2004, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Bobby L. Brotherton doing business as B&B Cattle Company of Palestine, Texas (B&B). B&B buys and sells livestock for his own account and is a dealer subject to the Packers and Stockyards Act (P&S Act) and regulations.

In its complaint, GIPSA alleges that B&B violated the P&S Act and regulations by failing to pay, when due, for livestock purchases totaling \$256,147.11. The complaint also alleges that B&B failed to keep and maintain complete records of its business transactions.

Failure to file an answer to GIPSA's complaint 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, B&B 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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# News Release

Release No.: 34-04

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## **GIPSA Issues Complaint Against Tim Cherry**

WASHINGTON, Oct. 21, 2004 - On August 18, 2004, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Tim Cherry of Lebanon, Tenn. Cherry is registered under the Packers and Stockyards Act (P&S Act) as a dealer and a market agency, buying and selling livestock on a commission basis.

GIPSA alleges that Cherry has failed to maintain an adequate bond or bond equivalent as required under the P&S Act. Failure to maintain an adequate bond or bond equivalent is a violation of the P&S Act.

Failure to file an answer to GIPSA's complaint 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, Cherry 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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# News Release

Release No.: 32-04

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## **GIPSA Files Complaint Against S.A. Hallal Meat Inc., D.B.A. Hallal Meat Inc. And Mohammad Arshad**

WASHINGTON, Oct. 21, 2004 - On July 30, 2004, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against S.A. Hallal Meat Inc., doing business as Hallal Meat Inc. and Mohammad Arshad (Hallal) of Brooklyn, N.Y. Hallal buys livestock for slaughter and is a packer subject to the Packers and Stockyards Act (P&S Act) and regulations.

GIPSA alleges that Hallal violated the P&S Act and regulations by issuing insufficient funds checks, and failing to pay, when due, for livestock purchases. As of May 14, 2004, a total of \$67, 602.81 remained unpaid. Hallal also failed to keep and maintain complete records of its business transactions.

Failure to file an answer to GIPSA's complaint 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, Hallal may be ordered to stop violating the P&S Act, and assessed a civil penalty.

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# News Release

Release No.: 35-04

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## **GIPSA Files Complaint Against R. Robert Lamb**

WASHINGTON, Oct. 21, 2004 - On Aug. 25, 2004, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against R. Robert Lamb (Lamb) of Burnettsville, Ind. Lamb is a dealer buying and selling livestock for his own account and is a market agency buying livestock on a commission basis. Lamb, as a dealer and market agency, is subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.

GIPSA alleges that Lamb violated the P&S Act when he purchased livestock and failed to pay, when due, for his livestock purchases.

Failure to file an answer to GIPSA's complaint will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegation is admitted, or proven in an oral hearing, Lamb 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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# News Release

Release No.: 24-04

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## **GIPSA Complaint Lodged Against Midwest National Farmers - Sig Ellingson, Inc., And James Gibbons**

WASHINGTON, Oct. 21, 2004 - On June 7, 2004, GIPSA filed a complaint against Midwest National Farmers - Sig Ellingson, Inc., and James Gibbons (Midwest National) of St. Paul, Minn. Midwest National is a commission firm operating out of South St. Paul Union Stockyards, a terminal stockyard and market agency that is subject to the requirements of the Packers and Stockyards Act (P&S Act). Midwest National is a market agency and is also subject to the requirements of the P&S Act.

GIPSA alleges that Midwest National sold livestock on a commission basis and issued checks to consignors that were returned unpaid. Midwest National failed to maintain sufficient funds in the account on which the checks were drawn. GIPSA also alleges that Midwest National failed to remit, when due, the net proceeds due from the sale of livestock sold on a commission basis for a total of \$331,448.20. As of April 7, 2003, an adjusted amount of \$247,133.29 due to the consignors of livestock was still outstanding.

Additionally, GIPSA alleges that Midwest National operated, in violation of the P&S Act, while its current liabilities exceeded its current assets.

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, Midwest National 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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# News Release

Release No.: 27-04

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## **GIPSA Complaint Issued Against Leo E. Buchheit**

WASHINGTON, Oct. 21, 2004 - On July 30, 2004, USDA's Grain Inspection, Packers and Stockyards Administration issued an administrative complaint against Leo E. Buchheit (Buchheit) of Perryville, Missouri. Buchheit 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 Buchheit 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. GIPSA also alleges that Buchheit failed to maintain an adequate bond to secure the performance of his livestock obligations.

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, Buchheit 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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# News Release

Release No.: 30-04

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## **GIPSA Complaint Filed Against Dennis Chavez And Southwest Livestock Auction**

WASHINGTON, Oct. 21, 2004 - On July 30, 2004 the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed an administrative complaint against Dennis V. Chavez, Dennis V. Chavez LLC, and Southwest Livestock Auction LLC of Los Lunas, N. M. Dennis V. Chavez is engaged in the business of buying and selling livestock in commerce for this own account and as a registered dealer subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations. Dennis V. Chavez LLC while engaged in business as a dealer was not registered with the Secretary of Agriculture as a dealer. Southwest Livestock Auction LLC is registered as a market agency subject to the requirements of the P&S Act.

The complaint alleges that Dennis V. Chavez, Dennis V. Chavez LLC, and Southwest Livestock Auction LLC were notified on several occasions (individually or severally) that they violated the P&S Act and regulations by not paying promptly for livestock, failing to pay in full when due for livestock purchases, issuing insufficient funds checks, failing to maintain an adequate bond, operating while insolvent, failing to reimburse the custodial account in a timely manner, operating with shortages in the custodial account, mismanaging the custodial account, and failing to maintain records that fully and correctly disclosed business transactions. 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, Dennis V. Chavez, Dennis V. Chavez LLC, and Southwest Livestock Auction LLC 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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# News Release

Release No.: 36-04

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## **GIPSA Complaint Filed Against A.J. Peachey & Sons**

WASHINGTON, Oct. 21, 2004 - On Aug. 27, 2004, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against A.J. Peachey & Sons Inc. (Peachey) of Belleville, Penn. Peachey buys and sells livestock for slaughter and is a packer subject to the Packers and Stockyards Act (P&S Act) and regulations. GIPSA alleges that Peachey violated the P&S Act and regulations by failing to pay, when due, for livestock purchases.

Failure to file an answer to GIPSA's complaint will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. If the allegation is admitted, or proven in an oral hearing, Peachey may be ordered to stop violating the P&S Act, and assessed a civil penalty.

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# News Release

Release No.: 31-04

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## **Aire Alto Cattle Corporation Subject Of GIPSA Complaint And Consent Decision**

WASHINGTON, Oct. 21, 2004 - On July 23, 2004, GIPSA filed a complaint against Aire Alto Cattle Corporation (Aire Alto) of Clovis, N.M. Aire Alto is engaged in the business of buying and selling livestock in commerce for its own account, and is a registered dealer subject to the requirements of the Packers and Stockyards Act (P&S Act.)

GIPSA alleged that Aire Alto had issued checks in payment for livestock that were returned unpaid because Aire Alto failed to keep and maintain sufficient funds in the account on which the checks were drawn. As of April 7, 2003 a balance of \$1,055,870.64 remained unpaid.

On Sept. 15, 2004, a consent decision was reached against Aire Alto and Susan C.E. Carter. Aire Alto and Susan C.E. Carter were ordered to stop issuing checks without maintaining sufficient funds in the account on which the checks were drawn, to pay, when due, for the full purchase price of live stock, and to pay the full purchase price of livestock.

Aire Alto was suspended as a registrant for a period of five years. After serving 630 days of the suspension, Aire Alto may apply to the Packers and Stockyards Programs to have a supplemental order issued if circumstances warrant terminating the suspension. Susan C.E. Carter was ordered not to register or apply for registration under the P&S Act in any manner whatsoever.

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# News Release

Release No.: 29-04

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## **\$35,000 USDA Civil Penalty Levied Against Larry F. Wooten And Roswell Livestock Auction Sales**

WASHINGTON, Oct. 21, 2004 - On July 23, 2004, USDA issued a consent decision against Larry F. Wooten and Roswell Livestock Auction Sales Inc. of Roswell, N.M. (Wooten). Wooten is engaged in the business of buying and selling livestock in commerce for his own account, and buying and selling livestock on a commission basis. Wooten is a registered dealer and market agency subject to the requirements of the Packers and Stockyards Act (P&S Act.)

The consent decision ordered Wooten to deposit required amounts in its custodial account; maintain the custodial account according to requirements under the P&S Act and regulations; to stop misusing the custodial account by depositing proceeds from the sale of livestock into the general account; stop using false names to purchase livestock out of consignment; and maintain records that fully and correctly disclose business transactions. Wooten was suspended for a period of 56 days and was ordered to pay a civil penalty of \$35,000. However, the suspension and civil penalty will be held in abeyance for a period of three years.

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.: 40-04

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## **Joe Don Pogue Cattle Company Subject Of GIPSA Complaint And Decision**

WASHINGTON, Nov. 9, 2004 - On July 30, 2004, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Joe Don Pogue doing business as Pogue Cattle Company (Pogue) of Sulphur Springs, Texas. Pogue buys and sells livestock for his own account and sells livestock on a commission basis. Pogue is registered as a dealer and a market agency and is subject to the Packers and Stockyards Act (P&S Act) and regulations.

GIPSA's complaint alleged that Pogue failed to pay the full purchase price of livestock he purchased within the time period required by the P&S Act. Additionally, GIPSA alleged that Pogue failed to maintain records and accounts that fully disclosed all transactions involved in his business.

On Aug. 27, 2004, USDA issued a consent decision against Pogue. The decision ordered Pogue to pay for the full purchase price of livestock on a timely basis. He was also ordered to maintain accounts, records, and memoranda that fully and correctly disclosed his transactions subject to the P&S Act. Pogue was assessed a civil penalty of \$4,500.

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# News Release

Release No.: 42-04

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## **Complaint Issued Against Bert Hoose Jr. D.B.A. Hoose Livestock**

WASHINGTON, Nov. 9, 2004 - On Sept. 29, 2004, the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Bert L. Hoose, Jr. doing business as Hoose Livestock (Hoose) of Cherry Valley, N.Y. Hoose is a market agency buying livestock on a commission basis, and is a registered dealer subject to the requirements of the Packers and Stockyards Act (P&S Act.)

The complaint alleged that Hoose failed to maintain sufficient funds on deposit, and failed to pay the full purchase price of livestock purchased within the time period required by the P&S Act. As of Feb. 17, 2004, there was an unpaid total of \$161, 050.00 for livestock purchases. Additionally, Hoose failed to keep accounts, records, and memoranda that fully and correctly disclosed his business transactions.

Failure to file an answer to GIPSA's complaint 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 Hoose 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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# News Release

Release No.: 41-04

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## **Complaint And Consent Decision Issued Against Joseph Alder**

WASHINGTON, Nov.9, 2004 - On Aug. 27, 2004, USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Joseph M. Alder (Alder) of Blackstone, Va. Alder buys and sells livestock for his own account and for the accounts of others, and is a dealer subject to the Packers and Stockyards Act (P&S Act) and regulations.

GIPSA alleges that Alder violated the P&S Act and regulations by failing to pay, when due, for livestock purchases totaling \$68,102.18, and for issuing insufficient funds checks in payment for livestock purchases. Alder also failed to keep and maintain complete records of his business transactions.

On Sept. 24, 2004, USDA issued a consent decision against Alder. Alder was ordered to stop issuing checks with insufficient funds in the account on which they were drawn, to pay, when due for the full purchase price of livestock, and to pay the full purchase price for livestock. He was also ordered to keep accounts, records and memoranda that fully and correctly disclosed all transactions. Additionally he was suspended for a period of five years, unless after 120 days and upon application to Packers and Stockyards Programs, he is able to demonstrate that termination of the suspension is warranted.

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# News Release

Release No.: 45-04

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## **GIPSA Reopens Comment Period On Information Collection Activities For The Livestock And Meat Marketing Study Until December 3, 2004**

WASHINGTON, Nov. 17, 2004, - GIPSA will reopen the comment period until Dec. 3, 2004, for the Livestock and Meat Marketing Study. Initially, GIPSA published a notice in the Federal Register on Sept. 9, 2004, announcing a 60 day comment period on the information collection activities. Interested parties were asked to submit comments by Nov. 8. Again, this comment period has been reopened until Dec. 3, 2004. Comments must be received by Dec. 3, 2004 and may be submitted by any of the following methods:

- E-Mail: Send comments via electronic mail to [comments.gipsa@usda.gov](mailto:comments.gipsa@usda.gov).
- Mail: Send hardcopy written comments to Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC 20250-3604.
- Fax: Send comments by facsimile transmission to: (202) 690-2755.
- Hand Delivery or Courier: Deliver comments to: Tess Butler, GIPSA, USDA, 1400 Independence Avenue, SW., Room 1647-S, Washington, DC 20250-3604.

All comments should make reference to the date and page number (September 9, 2004, 69 FR 54629) of the Federal Register.

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.: 49-04

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## **Washington Livestock Market Center, Inc., D.B.A. Quincy Livestock Market, And John Roderick Nuckolls Subject Of GIPSA Complaint**

WASHINGTON, Nov.23, 2004 - On Oct. 8, 2004, USDA's Grain Inspection Packers and Stockyards Administration (GIPSA) filed a complaint against Washington Livestock Market Center, Inc., doing business as Quincy Livestock Market (Quincy), and John Roderick Nuckolls (Nuckolls) of Quincy, Wash. Quincy is a posted stockyard and is a registered market agency selling livestock on a commission basis subject to the provisions of the Packers and Stockyards Act (P&S Act). Both Quincy and Nuckolls filed for Chapter 11 Bankruptcy on Oct. 6, 2004.

GIPSA alleges that Quincy under the direction, management, and control of Nuckolls and in violation of the P&S Act failed to maintain and properly use its custodial account, issued insufficient funds checks, did not pay the full purchase price of livestock within the time period required by the P&S Act, and failed to properly maintain business records the fully and correctly disclosed all business transactions.

Failure to file an answer to GIPSA's complaint 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, Quincy and Nuckolls 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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# News Release

Release No.: 47-04

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## **Nathan Shaul D.B.A. Highmore Auction Sales And HS Cattle Is The Subject Of A GIPSA Complaint**

WASHINGTON, Nov.23, 2004 - On Sept. 15, 2004 the Grain Inspection, Packers and Stockyards Administration filed a complaint against Nathan Shaul doing business as Highmore Auction Sales and HS Cattle in Highmore, S.D. Shaul operated Highmore Auction Sales as a registered market agency and HS Cattle as a registered dealer subject to the provisions of the Packers and Stockyards Act (P&S Act) and regulations.

GIPSA's complaint alleges that Shaul was insolvent, failed to properly maintain his custodial account, failed to pay the full amount of the purchase price for livestock in the prescribed time period, issued insufficient funds checks, failed to maintain records that fully and correctly disclosed all transactions involved in his business, and kited checks between Highmore Auction Sales and HS Cattle in violation of the P&S Act. Shaul in his capacity as a market agency, Highmore Auction Sales, endangered prompt payments due to the consignors of livestock. He issued checks as a dealer for HS Cattle while insolvent.

Failure to file an answer to GIPSA's complaint 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, Shaul 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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# News Release

Release No.: 50-04

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## **GIPSA Issues Another Complaint Against Harry Floyd Livestock Inc. And Harry Floyd**

WASHINGTON, Nov.23, 2004 - On Oct. 8, 2004 USDA's Grain Inspection, Packers and Stockyards Programs issued a complaint against Harry Floyd Livestock Inc. and Harry Floyd (Floyd Livestock) of Waynesboro, Tenn. Floyd Livestock is a livestock dealer and market agency and is subject to the provisions of the Packers and Stockyards Act (P&S Act) and regulations.

Previously, Dec. 6, 1991, Floyd Livestock was ordered to pay the full purchase price of livestock purchased within the time period required by the P&S Act. Additionally, Floyd Livestock was suspended as registrant for 21 days, or more, until the firm demonstrated solvency. On Aug. 27, 1992, The U.S. District Court for the Middle District of Tennessee found that Floyd Livestock had violated the administrative order by not paying for the full price of livestock purchased within the time period required by the P&S Act. Floyd Livestock was permanently enjoined from violating the December 1991 order. However, on July 16, 1996 the U.S. District Court for the Middle District of Tennessee found that Floyd Livestock had violated the Aug. 27, 1992 order and administrative order issued by the Secretary of Agriculture on December 6, 1991 by issuing insufficient funds checks. Floyd Livestock was ordered to pay a civil penalty of \$7,500 in installments and permanently enjoined from violating the previous orders.

GIPSA's current complaint alleges that Floyd Livestock is, once again, not paying the full purchase price of livestock within the time period required by the P&S Act.

Failure to file an answer to GIPSA's complaint will constitute an admission of the allegations. A denial of the allegations will result in an oral hearing. Floyd Livestock has requested and been granted an extension of time to file an answer to GIPSA's complaint. If the allegations are admitted, or proven in an oral hearing, Floyd Livestock 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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# News Release

Release No.: 48-04

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## **Decision Issued Against Nour Halal Meat Distributer, Inc., D.B.A. Nour Halal Meats, And Hamdy Farag**

WASHINGTON, Nov. 23, 2004 - On Oct. 4, 2004, USDA issued a consent decision against Nour Halal Meat Distributer, Inc. doing business as Nour Halal Meats (Nour Halal), and Hamdy Farag (Farag) of Imler, Pa. Nour Halal is engaged in the business of buying livestock in commerce for slaughter, marketing meats and meat food products, or livestock products, as a wholesale broker, dealer, or distributor. Nour Halal is a packer and is subject to the requirements of the Packers and Stockyards Act. Farag, along with his wife Gehad Faraq is the owner of Nour Halal, and is the general manager.

The consent decision ordered Nour Halal and Farag to pay for the full purchase price of livestock, make timely payments for the full purchase price of livestock, and file and maintain a bond or bond equivalent. Nour Halal Meat Distributer, Inc., and Hamdy Farag, jointly and severally, were assessed a civil penalty of \$7,500.

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## **Mandatory Price Reporting Programs Extended**

WASHINGTON, Dec. 3, 2004 - The U.S. Department of Agriculture today announced continuation of livestock mandatory price reporting as required by the Livestock Mandatory Reporting Act of 1999. The program's authority has been extended through Sept. 30, 2005.

This program requires that packers electronically submit purchase and sale information to USDA's Agricultural Marketing Service. AMS is currently releasing over 100 daily, weekly or monthly reports under the program covering market transactions for fed cattle, swine, lamb, beef and lamb meat.

The program extension was passed by Congress as an amendment to the Livestock Mandatory Price Reporting Act of 1999 to modify the termination date for mandatory price reporting, and was signed by President Bush today. The extension also affects USDA's swine contract library. The Act required the department to establish a library or catalog of the types of contracts offered by packers to swine producers for the purchase of swine (including swine that are purchased for future delivery). USDA's Grain Inspection, Packers and Stockyards Administration maintains the swine contract library which is intended to aid in the price discovery process and provide equal access to market information for all market participants.

Most plants continued to provide this market data and information on a voluntary basis during the cessation of authority, which originally expired on Oct. 22. These voluntary efforts allowed for uninterrupted publication of meaningful market information.

Further information regarding livestock mandatory price reporting can be obtained from John Van Dyke, Chief, Livestock and Grain Market News, AMS Livestock and Seed Program, USDA STOP 0252, 1400 Independence Ave., SW; Washington, DC 20250-0252, telephone (202) 720 6231 or from the Internet at: <http://www.ams.usda.gov/lsmnpubs/index.htm>.



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Further information regarding the swine contract library can be obtained from Jay A. Johnson, Regional Supervisor, Des Moines Regional Office, GIPSA, Packers and Stockyards Programs, USDA, 210 Walnut Street, Des Moines, IA 50309, or by telephone (515) 323 2579. Information on the Swine Contract Library can be obtained via the World Wide Web at: <http://scl.gipsa.usda.gov/>.

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# News Release

Release No.: 53-04

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## GIPSA Publishes Notice Posting Two Stockyards

WASHINGTON, Dec. 3, 2004 - The Grain Inspection, Packers and Stockyards Administration today published a notice in the Federal Register to post two stockyards.

GIPSA determined that Mayfield Auction Barn in Mayfield, Ky. and WFA Cattle Sales in Brooklyn, Wis. meet the definition of a stockyard under the Packers and Stockyards Act and, therefore, needed to be posted. Posted stockyards are subject to the provisions of the Packers and Stockyards Act.

GIPSA published notices proposing to post the two stockyards on October 8, 2001 and November 7, 2003 (66 FR 52887 and 68 FR 63055-63056, respectively). GIPSA has received no comments in response to either of these proposed posting notices.

To post stockyards, GIPSA assigns a facility number to the stockyard, notifies the owner of the stockyard facility, and sends notices to the owner of the stockyard to post in public areas of the stockyard. The date of posting is the date on which the posting notices were physically displayed.

Facility Number	Stockyard Name and Location	Date of Posting
KY-177	Mayfield Auction Barn, Mayfield Kentucky	April 10, 2002
WI-147	WFA Cattle Sales, Brooklyn, Wisconsin	March 10, 2004

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

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# News Release

Release No.: 55-04

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## **USDA Issues A Consent Decision Against William Gomez D.B.A Stuart Sale Barn, And Perry Sales Pavilion**

WASHINGTON, Dec. 15, 2004 - On Nov. 23, 2004, USDA issued a consent decision against William C. Gomez d.b.a. Stuart Sale Barn and Perry Sales Pavilion 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 as posted stockyards, and is registered as a market agency subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.

Gomez was ordered to deposit sales proceeds into the custodial account in a timely manner, maintain the custodial account in strict accordance with the regulations, to stop unlawfully using funds from the proceeds of consigned livestock, to pay owners and consignors as required under the P&S Act, and maintain sufficient funds in the custodial account. William C. Gomez was suspended for a period of 21 days or after that and until he is able to demonstrate that custodial Account shortages have been eliminated.

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# News Release

Release No.: 54-04

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## **Tucker Subject Of USDA Default Decision And Fined \$1,000**

WASHINGTON, Dec. 15, 2004 - On Dec. 3, 2004, USDA issued a default decision against Tom "Tommy" Tucker (Tucker) of Fort Scott, Kan. Tucker is registered as a market agency buying livestock on commission and as a dealer subject to the requirements of the Packers and Stockyards Act (P&S Act) and regulations.

The default decision was issued after Tucker failed to respond to and answer the allegations in a complaint issued by USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) on April 8, 2003. The failure to answer the complaint constitutes an admission of the allegations.

Tucker has been ordered to stop operating in any capacity where bonding is required under the P&S Act. He has been suspended as a market agency and dealer until he is able to demonstrate the he is in full compliance with the bonding requirements of the P&S Act and regulations. Additionally, Tucker was assessed a civil penalty of \$1,000.

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# News Release

Release No.: 56-04

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## **GIPSA Files A Complaint Against Belleville 81 Inc., And Trycorp Inc. D.B.A. Beatrice 77 Livestock Sales**

WASHINGTON, Dec. 15, 2004 - On Nov. 25, 2004, the Grain Inspection, Packers and Stockyards Administration filed a complaint against Belleville 81 Inc. (Belleville 81), and Trycorp Inc. doing business as Beatrice 77 Livestock Sales (Trycorp) in Belleville, Kan. Belleville 81 is a posted stockyard, market agency, and dealer subject to the provisions of the Packers and Stockyards Act (P&S Act) and regulations. Trycorp is the sole shareholder of Belleville 81 and is a registered dealer.

GIPSA's complaint alleges that Belleville 81 failed to properly maintain the firm's custodial account, which endangered the prompt payment of owners and consignors of livestock, and resulted in shortages in the custodial account. GIPSA also alleges that Belleville 81 misused the custodial account by depositing funds into the general account rather than depositing funds into the custodial account as required under the Packers and Stockyards Act.

Failure to file an answer to GIPSA's complaint 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, Belleville 81 and Trycorp may be ordered to stop violating the P&S Act, suspended as registrants operating under the P&S Act, and assessed a civil penalty.

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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](mailto:program.intake@usda.gov).