

News Release Archive

2006

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FEDERAL GRAIN INSPECTION SERVICE

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News Release

Release No.: 01-06

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GIPSA APPROVES ROSA® TEST KIT to DETECT AFLATOXIN FOR COMMODITIES IN ADDITION TO CORN

WASHINGTON, DC (January 4, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced that Charm Sciences, Inc.'s ROSA® Aflatoxin (Quantitative) test kit, Product #LF-AFQ-100 quantitative lateral flow strip kit has been expanded to include additional commodities for official testing of aflatoxin in the national grain inspection system.

GIPSA has approved the official use of the ROSA® Aflatoxin (Quantitative) test kit to determine total aflatoxin levels in corn, corn flour, corn germ meal, corn gluten meal, corn meal, corn screenings, corn soy blend, cracked corn, distillers dried grains, flaking corn grits, milled rice, popcorn, rough rice, sorghum, soybeans, wheat.

Aflatoxins are a toxin produced by a mold and can be present in corn, sorghum, and other grains. Approval to test additional commodities using this kit expands the choice of aflatoxin test kits available to the national inspection system.

Technical information: Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 02-06

Contact:
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GIPSA ANNOUNCES QUALITY MANAGEMENT TRAINING

WASHINGTON (January 9, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration 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's Federal Grain Inspection Service or Agricultural Marketing Service (AMS) 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 AMS Quality System Assessment Program.

The 2-day training session will be held on February 1 and 2, 2006 at the GIPSA Technical Center, located near the Kansas City, Missouri, airport. Space for the 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.

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News Release

Release No.: 04-06

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GIPSA VERIFIES PERFORMANCE OF TEST KIT TO DETECT AFLATOXIN IN CORN

WASHINGTON, DC (January 23, 2005) - The USDA Grain Inspection, Packers and Stockyards Administration today announced it verified Charm Sciences, Inc., ROSA® Aflatoxin P/N Test, Product# LF-AFPN, qualitative lateral flow strip kit, which detects the presence of aflatoxin at a threshold of 20 parts per billion in corn in 3 minutes (test strip development time).

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

GIPSA deputy administrator David Shipman 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 Performance Verified Test Kits page at <http://archive.gipsa.usda.gov/GIPSA/webapp?area=home&subject=grpi&topic=iws-rtk>.

For technical information on test kit performance evaluation, contact Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 03-06

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GIPSA APPROVES R-BIOPHARM TEST KIT TO DETECT AFLATOXIN IN DISTILLERS DRIED GRAINS WITH SOLUBLES

WASHINGTON, DC (January 23, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced that R-Riopharm, Inc. Ridascreen FAST SC Aflatoxin quantitative test kit, Product # R9002, has been expanded to include distillers dried grains with solubles (DDGS) for official testing of aflatoxin in the national grain inspection system.

Aflatoxins are a toxin produced by a mold and can be present in corn, sorghum, and other grains. Approval to test additional commodities using this kit expands the choice of aflatoxin test kits available to the national inspection system.

GIPSA has now approved the official use of the R-Riopharm, Inc. Ridascreen FAST SC Aflatoxin test kit to determine total aflatoxin levels in corn, corn flour, corn germ meal, corn gluten meal, corn meal, corn soy blend, cracked corn, distillers dried grains with solubles, popcorn, sorghum, soybeans, wheat.

Technical information: Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 05-06

Contact:
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GIPSA Official Designation Activities

WASHINGTON, D.C. (February 1, 2005) - USDA's Grain Inspection, Packers and Stockyards Administration announces the following actions on designations to officially inspect and weigh grain in Texas.

- Global Grain Inspection Services, Inc. requested and was granted by GIPSA a voluntary cancellation of its designation effective April 9, 2006. Accordingly, GIPSA is seeking applicants to provide official services. Applications are due by March 2, 2006.

For further information contact Idelisse Rodriguez at 202-720-5688, fax 202-690-2755 or e-mail idelisse.rodriguez@usda.gov.

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News Release

Release No.: 06-06

Contact:
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GIPSA Verifies Performance of Test Kit to Detect Aflatoxin in Corn

WASHINGTON, Feb. 23, 2006 - The USDA Grain Inspection, Packers and Stockyards Administration today announced that it has verified the EnviroLogix, Inc. QuickStix™ Kit for Aflatoxin in Bulk Grain, #AS 101 BG Qualitative Lateral Flow Strip Kit. The kit detects the presence of aflatoxin at a threshold of 20 parts per billion in corn in 5 minutes (test strip development time) using either a 70 percent methanol or 50 percent ethanol extraction solvent.

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

GIPSA administrator James E. Link said that GIPSA's evaluation of this test will help the U.S. grain market make more informed decisions about 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://archive.gipsa.usda.gov/tech-servsup/metheqp/testkits.pdf>. For technical information on test kit performance evaluation, contact Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 08-06

Contact:
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GIPSA Official Designation Activities

WASHINGTON, D.C. (March 1, 2006)-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 Idaho, Indiana, Iowa, Nebraska, North Dakota, Tennessee, and Utah.

- GIPSA is asking for applicants to provide official services in the Pocatello, Idaho; Lewiston, Idaho; Evansville, Indiana; and Utah areas. GIPSA is asking for applications for the areas and comments about the current service providers by April 1, 2006.
- Grain Inspection, Inc. (Jamestown); Lincoln Inspection Service, Inc. (Lincoln); and Sioux City mInspection and Weighing Service Company (Sioux City); are designated to inspect grain effective April 1, 2006, through March 31, 2009. Midsouth Grain Inspection Service (Midsouth); and Omaha Grain Inspection Service, Inc. (Omaha) are designated effective April 1, 2006 through March 31, 2007. For official grain inspection services, contact Jamestown at 701-252-1290, Lincoln at 402-435- 4386, Sioux City at 712-255-8073, Midsouth at 901-942-3216, and Omaha at 402-341-6739.

For further information contact Idelisse Rodriguez at 202-720-5688, fax 202-690-2755, or e-mail Idelisse.Rodriguez@usda.gov.

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News Release

Release No.: 07-06

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USDA Export Grain Quality Report Available

WASHINGTON, March 6, 2006 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) today released its latest report on the quality of U.S. grain exports.

Published annually, GIPSA's "2005 U.S. Grain Exports: Quality Report" is the twenty-second edition of this annual summary of export grain quality. The report summarizes the quality of export wheat, corn, soybeans, sorghum, barley, sunflower seeds, canola and flaxseed. The report does not analyze the data or give comparative summaries. It is based on data collected during the official inspection of export grain shipments in calendar year 2005.

The report is available electronically on GIPSA's web site under "News and Events Publications" at: <http://archive.gipsa.usda.gov/GIPSA/webapp?area=newsroom&subject=landing&topic=pub-er>

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News Release

Release No.: 18-06

Contact:
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GIPSA Approves Veratox® Aflatoxin Test Kit to Detect Aflatoxin for Commodities in Addition to Corn

WASHINGTON, DC (March 7, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced that Neogen Corporation Veratox® Quantitative Aflatoxin test kit, Product #8030 quantitative kit has been expanded to include additional commodities for official testing of aflatoxin in the national grain inspection system.

GIPSA has now approved the official use of the Veratox® Quantitative Aflatoxin test kit to determine total aflatoxin levels in corn, corn gluten meal, corn meal, corn soy blend, cottonseed, distillers dried grains with solubles (DDGS), milled rice, popcorn, sorghum, soybeans, and wheat.

Aflatoxins are toxins produced by a mold that can be present in corn, sorghum, and other grains.

According to GIPSA administrator James Link, approval to test additional commodities using this kit expands the choice of aflatoxin test kits available to the national inspection system.

Technical information: Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 09-06

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GIPSA Official Designation Activities

WASHINGTON, D.C. (March 13, 2006) - 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 Texas.

- GIPSA has identified a need for domestic official inspection in Clay, Montague, Cooke, Grayson, Fannin, Lamar, Red River, Young, Stephen, and Eastland counties in Texas. GIPSA is asking persons interested in providing official services in these unassigned counties in Texas to submit applications for designation by April 2, 2006.

For further information contact Idelisse Rodriguez at 202-720-5688, fax 202-690-2755, or e-mail Idelisse.Rodriguez@usda.gov.

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News Release

Release No.: 26-06

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GIPSA Verifies Performance of Test Kit to Detect Aflatoxin in Corn

WASHINGTON, DC (March 14, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced it verified that the Charm Sciences, Inc. ROSA® Aflatoxin P/N Test, #LF-AFPN qualitative lateral flow strip kit detects the presence of aflatoxin at a threshold of 20 parts per billion in corn in 3 minutes (test strip development time) using either a 70 percent methanol or 50 percent ethanol extraction solvent.

This test was evaluated under GIPSA's Rapid Test Performance Evaluation Program. GIPSA administrator James E. Link said that the agency's evaluation of this test will help the U.S. grain market make more informed decisions about 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://archive.gipsa.usda.gov/tech-servsup/metheqp/testkits.pdf>. For technical information on test kit performance evaluation, contact Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 25-06

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GIPSA Official Designation Activities

WASHINGTON, D.C. (March 14, 2006) - USDA's Grain Inspection, Packers and Stockyards Administration announces the following actions on designations to officially inspect and weigh grain in Texas.

- Global Grain Inspection Services, Inc. asked GIPSA for a voluntary cancellation of their designation effective April 9, 2006. GIPSA asked for and received three applicants by the closing date. GIPSA is asking for comments on the following applicants for designation to provide official services in the Texas geographic area previously assigned to Global: a company proposing to do business as Gulf Country Inspection Service, Inc; a company proposing to do business as InterContinental Grain Inspections, Inc., which is a subsidiary of Société Générale de Surveillance (SGS) North America, Inc.; and South Texas Grain Inspection LLC, a proposed organization being formed by the Corpus Christi Grain Exchange, Inc., to function under a trust. Comments are due by March 29, 2006.

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.: 32-06

Contact:
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GIPSA Releases Revised Test Performance Specification for Quantitative Vomitoxin (DON) Test Kits

WASHINGTON, April 03, 2006 - The USDA Grain Inspection, Packers and Stockyards Administration is revising the evaluation standards on commercial test kits for quantitative determination of vomitoxin in grains and commodities using a revised protocol.

Deoxynivalenol, also known as DON or vomitoxin is a disease caused by several species of the fungus *Fusarium* and can be present primarily in wheat, corn and barley.

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 evaluation criteria may be obtained from Lynn Polston, GIPSA Technical Services Divisions, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 35-06

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GIPSA Official Designation Activities

WASHINGTON, D.C. (April 13, 2006) - USDA's Grain Inspection, Packers and Stockyards Administration today announced the following actions on designations to officially inspect grain in specified areas in Texas.

- Intercontinental Grain Inspections, Inc. (Intercontinental) is designated for 18 months only, effective April 10, 2006, and terminating September 30, 2007. Intercontinental will be headquartered in Fort Worth, Texas. Given the cancellation date of April 9, 2006 of Global Grain Inspection Services, Inc., there was not sufficient time to solicit and designate a replacement agency. For these reasons, interested persons that want to obtain official services in the Texas area North of Interstate 10 should call the FGIS Wichita Field Office at 316-722-6370 and South of Interstate 10 should call the FGIS League City Field Office at 281-338-2787 to obtain interim service until Intercontinental begins service.

For further information contact Idelisse Rodriguez at 202-720-5688, fax 202-690-2755 or e-mail Idelisse.Rodriguez@usda.gov.

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News Release

Release No.: 0144-06

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JOHANNES NAMES GRAIN INSPECTION ADVISORY COMMITTEE MEMBERS AND ALTERNATES

WASHINGTON, April 28, 2006 -- Agriculture Secretary Mike Johanns 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 Johanns. "They bring a great deal of knowledge and experience to this board."

The new members are: William Crockett, superintendent, Mound Bayou Public Schools, Mound Bayou, Miss.; Mark S. Fulmer, agency manager-president, Lincoln Inspection Service, Lincoln, Neb.; Kenneth L. Dalenberg, production agriculture farmer, Mansfield, Ill.; John R. Hewitt, associate counsel, California Farm Bureau Federation., Sacramento, Calif.; Curtis Engel, senior group manager, The Scoular Company; Salina, Kan.; and Timothy D. Paurus, assistant vice president-terminal operations, CHS, Inc.; Inner Grove Heights, Minn.

The new alternate members are: Joseph R. Allen, president, Allen Group International, Bullwin, Mo; Chester Boruff, chief executive officer, Association of Official Seed Certifying Agencies; Moline, Ill.; Robert C. Smigelski, Agricultural Group Operations, Waterville, Ohio; Lyle V. Riddle, farmer, Wapella, Ill.; and Brent A. Turner, manager of export grain, ADM Grain Co., Division of Archer Daniels Midland Company; Galveston, Texas.

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.

For information, call Terri L. Henry, (202) 205-8281

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News Release

Release No.: 37-06

Contact:
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USDA Amends Classification Policy for Hard White Wheat

Washington, DC (May 1, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration (GIPSA) is amending the United States Standards for Wheat and modifying the classification policy for Hard White wheat effective May 1, 2006.

“The revised wheat standards and new policy will ensure the purity of both the Hard White and the Hard Red classes,” said GIPSA Administrator James Link. “This will help American wheat producers market Hard White wheat to those making high-quality wheat products for consumers around the world.”

GIPSA is amending the wheat standards to change the definition of contrasting classes so that Hard White wheat is no longer a contrasting class in Hard Red Winter and Hard Red Spring wheat. Rather, all Hard White wheat will be counted as wheat of other classes (WOCL) when found in predominantly Hard Red Winter or Hard Red Spring wheat. Two grading factors measure the purity of various wheat classes in the standards. The factor “contrasting classes” has tight tolerances to limit the commingling of classes that has a detrimental impact on processing. The second factor, “wheat of other classes,” has less restrictive tolerances and includes all classes of wheat other than the intended class being marketed. GIPSA is also restoring to the standards the sample size used to determine sample grade factors.

On May 1, 2006, the effective date of the standards change, GIPSA also is implementing a new policy to classify Hard White Wheat. Under the policy, all Hard White wheat kernels will be classified as Hard White wheat, regardless of seed coat color and whether they are in a predominantly Hard White or Hard Red wheat sample. Previously, wheat would be classified as Hard White wheat only if kernels were clearly lighter in color than the predominant Hard Red wheat. GIPSA will use both visual inspection, and, if necessary, an alkali test developed by the USDA Agricultural Research Service to distinguish Hard White kernels.



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Web: www.gipsa.usda.gov

News Release

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

The Official U.S. Standards for Wheat are on GIPSA's web site at: <http://archive.gipsa.usda.gov/referencelibrary/standards/810wheat.pdf>. The new Hard White wheat classification policy appears in the Grain Inspection Handbook, Book II, "Wheat": <http://archive.gipsa.usda.gov/reference-library/handbooks/graininsp/grbook2/wheat.pdf>.

For further information, contact Patrick McCluskey at USDA/GIPSA, Stop 3604, 1400 Independence Avenue, SW, Washington, DC, 20250-3604; or via telephone (202) 720-4684 or fax (202) 720-7883.

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News Release

Release No.: 39-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA's Grain Inspection Advisory Committee to Meet

Washington, DC, May 1, 2006 - The USDA Grain Inspection, Packers and Stockyards Administration's Grain Inspection Advisory Committee will meet June 13-14, 2006, in Kansas City, Mo.

The Committee meeting will take place from 7:30 a.m.-5:00 p.m., June 13, 2006, and 7:30 a.m.-12:00 p.m., June 14, 2006, 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) 690-2755.

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 an update on the agency's finances, marketing activities, progress report on reengineering of domestic operations, use of third party contracting, hard white wheat rule implementation, and methods development activities.

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, at email terri.l.henry@usda.gov, telephone (202) 205-8281, or FAX (202) 690-2755.

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News Release

Release No.: 42-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Offers Wet Gluten Testing for Wheat

Washington, (May 11, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration is now providing official determination of wet gluten content for Hard Red Winter (HRW) wheat and Hard Red Spring (HRS) wheat using a protein-based calibration on official near-infrared transmittance (NIRT) instruments.

“Buyers of U.S. wheat often ask for analysis of functional characteristics of the commodity being purchased,” said GIPSA administrator James Link. “This new service will provide the market with important data on wheat gluten functionality.”

Gluten, the primary functional protein in wheat, is responsible for the unique ability of milled wheat to produce bread, pasta, and noodle products.

GIPSA will provide wet gluten content determination as official criteria under the authority of the United States Grain Standards Act, as amended.

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

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News Release

Release No.: 46-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Official Designation Activities

WASHINGTON, D.C. (May 15, 2006) - USDA's Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following actions on designations to officially inspect in Texas.

- GIPSA is requesting comments on applicants to provide official services in the Texas geographic area. Enid Grain Inspection Co., Inc. (Enid) applied for designation to provide official services in Clay, Montague, Cooke, and Grayson Counties, Texas. Intercontinental Grain Inspections Inc. (Intercontinental) applied for designation in Clay, Montague, Cooke, Grayson, Fannin, Lamar, Red River, Young, Stephen, and Eastland Counties, Texas. Comments are due by June 12, 2006.

For further information contact Idelisse Rodríguez at 202-720-5688, fax 202-690-2755 or e-mail Idelisse.Rodriguez@usda.gov.

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News Release

Release No.: 49-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Official Designation Activities

WASHINGTON, D.C. (June 1, 2006)- USDA's Grain Inspection, Packers and Stockyards Administration today announced the following actions on designations to officially inspect and weigh grain in specified areas in Colorado, Kansas, Nebraska, North Dakota, and Ohio.

- 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, 2006, through June 30, 2009. For official grain inspection services, contact Kansas at 785-233-7063, Minot at 701-838-1734, and Tri-State at 513-251-6571.

For further information contact Idelisse Rodríguez at 202-720-5688, fax 202-690-2755 or e-mail Idelisse.Rodriguez@usda.gov.

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News Release

Release No.: 54-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Official Designation Activities

WASHINGTON, D.C. (June 19, 2006) - USDA's Grain Inspection, Packers and Stockyards Administration today announced the following actions on designations to officially inspect and weigh grain in specified areas in California, Indiana, and Virginia.

- GIPSA is seeking applicants to provide official services in the Sacramento, California; Indianapolis, Indiana; and Virginia areas. GIPSA is asking for applications for the areas and comments about the current service providers by July 14, 2006.

For further information contact Idelisse Rodríguez at 202-720-5688, fax 202-690-2755, or e-mail Idelisse.Rodriguez@usda.gov

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News Release

Release No.: 57-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Establishes Feed Pea Standards

WASHINGTON, July 6, 2006 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration is establishing official United States Standards for Feed Peas under authority of the U.S. Agricultural Marketing Act of 1946, as amended.

The current U. S. Standards for Whole Dry Peas and Split Peas reflect the needs of the edible dry pea market. They do not, however, meet the needs of the growing market for peas used in animal feed.

GIPSA administrator James Link said, "GIPSA is establishing this new standard to provide uniform standards and facilitate the marketing of feed peas."

The new standards will be effective July 7, 2006.

For further information, contact Marianne Plaus, GIPSA, at (202) 690-3460; fax (202) 720-1015; or e-mail to Marianne.Plaus@usda.gov.

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News Release

Release No.: 66-06

Contact:
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GIPSA Verifies Performance of Test Kits to Detect Aflatoxin and Deoxynivalenol (DON)

WASHINGTON, DC (August 1, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced it verified that the following qualitative test kits for detecting the presence of mycotoxins at the specified levels:

- Charm Sciences, Inc. ROSA® DON P/N (Product #LF-DONPN) - Deoxynivalenol in wheat and barley at 1 ppm
- Charm Sciences Inc. ROSA® DON P/N (Product #LF-DONPN) - Deoxynivalenol in wheat at 0.5 ppm
- Charm Sciences Inc. ROSA® Aflatoxin P/N (Product #LF-AFPN) - Aflatoxin in corn at 10 ppb
- Diachemix, LLC DON FPA (Product #61530) - Deoxynivalenol in wheat at 1 ppm
- Romer Labs Inc. AgraStrip Total Aflatoxin Test (Product #COKAS1000) - Aflatoxin in corn at 20 ppb using ethanol/water as an extraction solvent
- Romer Labs Inc. AgraStrip Total Aflatoxin Test (Product #COKAS1200) - Aflatoxin in corn at 10 ppb using both methanol/water and ethanol/water as extraction solvents

These test kits were evaluated under GIPSA's Rapid Test Performance Evaluation Program. GIPSA administrator James E. Link said that GIPSA's evaluation of this test will help the U.S. grain market make more informed decisions about 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://archive.gipsa.usda.gov/tech-servsup/metheqp/testkits.pdf>.

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News Release

Release No.: 65-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Renews Vicam AflaTest® Test Kit to Detect Aflatoxin in Corn

WASHINGTON, DC (August 1, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced that Vicam, L.P. AflaTest® aflatoxin test kit, quantitative monoclonal affinity chromatography kit has been approved for official testing of aflatoxin in the national grain inspection system.

Aflatoxins are a toxin produced by a mold and can be present in corn, sorghum, and other grains.

According to GIPSA administrator James Link, renewal of test expands the choice of aflatoxin test kits available to the national inspection system.

GIPSA has now approved the official use of the Vicam, L.P. AflaTest® aflatoxin test kit to determine total aflatoxin levels in corn, condensed distillers solubles, corn bran, corn flour, corn germ meal, corn gluten feed, corn gluten meal, corn meal, corn soy blend, distillers dried grains, distiller dried grains w/ solubles, flaking corn grits, milled rice, popcorn, rough rice, sorghum, soybeans, and wheat.

Technical information: Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 64-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Approves Romer Fluoroquant Afla (FQ Afla) Test Kit to Detect Aflatoxin in Corn

WASHINGTON, DC (August 1, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced that Romer Labs, Inc. FluoroQuant Afla (FQ Afla) aflatoxin test kit, quantitative fluorometric test kit has been approved for official testing of aflatoxin in the national grain inspection system.

Aflatoxins are a toxin produced by a mold and can be present in corn, sorghum, and other grains.

According to GIPSA administrator James Link, approval of this kit expands the choice of aflatoxin test kits available to the national inspection system.

GIPSA has now approved the official use of the Romer Labs, Inc. FluoroQuant Afla (FQA) aflatoxin test kit, Product #COKFA1010 to determine total aflatoxin levels in corn, corn meal, milled rice, popcorn, sorghum, soybeans, and wheat.

Technical information: Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 63-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Approves Neogen Corporation Veratox DON 5/5 Test Kit to Detect Deoxynivalenol in Milled Rice

WASHINGTON, DC (August 1, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced that Neogen Corporation Veratox DON 5/5 quantitative test kit, Product # 8331, has been expanded to include milled rice for official testing of deoxynivalenol (DON) in the national grain inspection system.

Deoxynivalenol, or DON, is a toxin produced by a mold and can be present in wheat, barley, corn, and other grains.

According to GIPSA administrator James Link, approval to test additional commodities using this kit expands the choice of DON test kits available to the national inspection system.

GIPSA has now approved the official use of the Neogen Corporation Veratox DON 5/5 test kit to determine deoxynivalenol levels in milled rice.

Technical information: Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 62-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Approves Diagnostix Ez-Tox DON Test Kit to Detect Deoxynivalenol (DON) in Wheat

WASHINGTON, DC (August 1, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced that Diagnostix, Limited, EZ-Tox DON test kit, quantitative rapid enzyme immunoassay test kit has been approved for official testing of deoxynivalenol (DON) in the national grain inspection system.

Deoxynivalenol, or DON, is a toxin produced by a mold and can be present in wheat, barley, corn, and other grains.

Approval of this kit expands the choice of DON test kits available to the national inspection system. GIPSA has now approved the official use of the Diagnostix, Limited, EZ-Tox DON test kit, Product # 600120- DON, to determine levels of DON in wheat, corn, barley, and malted barley.

Technical information: Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: N/A

Contact:
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Statement by James Link, Administrator of the Grain Inspection, Packers and Stockyards Administration Regarding the Validation of Testing for Genetically Engineered Rice (08/24/06)

The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has verified two analytical methods provided to GIPSA by Bayer CropScience to detect for LL rice - one specific for LLRICE 601 trait. Both tests are real-time polymerase chain reaction (PCR) methods - one that detects 35SBAR DNA sequence found in LLRICE and another that detects the DNA sequence specific to the LLRICE 601 trait. For further information about the specific analytical method or for a list of commercial laboratories that Bayer CropScience has authorized to provide testing services, please contact Bayer CropScience.



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News Release

Release No.: 69-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

USDA Verifies Performance of Test Kit to Detect LibertyLink® Event LL601 Rice Pat Protein in Rice

WASHINGTON, Sept. 1, 2006 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has verified a strip kit that detects the presence of the Liberty Link 601 protein at a detection limit of 2% sensitivity level. The test takes approximately 10 minutes to complete.

This test was evaluated under GIPSA's Rapid Test Performance Evaluation Program. For information on GIPSA's Rapid Test Performance Evaluation Program and Proficiency Program, visit GIPSA's web site at www.gipsa.usda.gov.

This test was validated at the request of Strategic Diagnostics Inc. USDA is not involved in the distribution of this test for use in the marketplace.

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Amanda Taylor (202) 205-9908
Kristin Scuderi (202) 720-4623



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News Release

Release No.: 74-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

USDA Revises Soybean Standards

WASHINGTON, Sept. 6, 2006 - The USDA Grain Inspection, Packers and Stockyards Administration is revising the United States Standards for Soybeans to change the minimum test weight per bushel (TW) from a grade determining factor to an informational factor.

As an informational factor, TW will be reported on official certificates unless requested otherwise. Upon request, soybean test weight will not be determined or reported on the official certificate.

USDA also is changing the reporting requirements for TW in soybeans from whole and half pounds with a fraction of a half pound disregarded to reporting to the nearest tenth of a pound. The reporting requirements for test weight in canola also are being clarified.

According to GIPSA administrator James Link, these changes will further help to ensure market-relevant standards and grades and clarify reporting requirements.

The revised standards will become effective on September 1, 2007.

Technical information contact: Becca Riese, (202) 720-4116; e-mail Rebecca.A.Riese@usda.gov.

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News Release

Release No.: 69-06

Contact:
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GIPSA Official Designation Activities

WASHINGTON, D.C. (Sept. 7, 2006)- 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 Idaho, Illinois, Indiana, Michigan, Iowa, Oklahoma, Tennessee, Nebraska, and Utah.

- GIPSA is asking for applicants to provide official services in the Champaign, Illinois; Detroit, Michigan; Eastern Iowa, Iowa; Enid, Oklahoma; Keokuk, Iowa; Marshall, Michigan; Memphis, Tennessee; and Omaha, Nebraska Areas. GIPSA is asking for applications for the areas, and comments about the current service providers by October 7, 2006.
- 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, 2006, through September 30, 2009. For official grain inspection services, contact Idaho at 208-233-8303, Lewiston at 208-746-0451, Ohio Valley at 812-423-9010 and Utah at 801-392-2292.

For further information contact Idelisse Rodríguez at 202-720-5688, fax 202-690-2755 or e-mail Idelisse.Rodriguez@usda.gov

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News Release

Release No.: 75-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Announces ISO Guide 65 Training

WASHINGTON, September 12, 2006 - The USDA Grain Inspection, Packers and Stockyards Administration will offer a training session for persons wishing to know more about International Organization for Standardization (ISO) Guide 65 - the general requirements for bodies operating product certification systems.

Any party interested in certifying a grain, feed, seed, or an associated agribusiness, including an organic certifying agency may participate in the training.

The training will cover ISO Guide 65 quality systems, as well as USDA's Process Verified Program and other verification programs offered by GIPSA and the Agricultural Marketing Service.

The 2-day training session will be held on Wednesday afternoon, October 4, 2006, and Thursday, October 5, 2006, at the National Oceanic and Atmospheric Administration Training Center, near the Kansas City airport, in Kansas City, Mo. Complete information will be provided upon registration. Space for the session is limited and participation is on a first-come, first-served basis.

There is no cost for this session; however, participants must provide their own copy of ISO Guide 65. Information about purchasing ISO Guide 65 will be provided prior to the session.

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

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News Release

Release No.: 76-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Verifies Performance of Test Kit to Detect Liberty Link 601 Protein in Rough Rice

WASHINGTON, Sept. 15, 2006 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has verified a rapid strip kit that detects the presence of the Liberty Link® rice protein at a detection limit of 1.33% sensitivity level. This kit, as well as a previously reviewed rapid strip kit, were evaluated and confirmed for rough or paddy rice only. The test takes approximately 15 minutes to complete.

This test was validated at the request of EnviroLogix, Inc. USDA is not involved in the distribution of this test for use in the marketplace.

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GIPSA Release #76-06
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News Release

Release No.: 78-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Verifies Performance of Test Kit to Detect Aflatoxin in Corn

WASHINGTON, DC (October 12, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration verified the Neogen Corporation's ReVeal® for Aflatoxin kit, Product #8015 qualitative lateral flow strip kit, which detects the presence of aflatoxin at a threshold of 20 parts per billion in corn in 3 minutes (test strip development time) using 50% ethanol as an extraction solvent.

For information on GIPSA's Rapid Test Performance Evaluation Program and Proficiency Program, visit [GIPSA Performance Verified Test Kits information](#).

For technical information on test kit performance evaluation, contact Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 77-06

Contact:
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Terri.L.Henry@usda.gov

GIPSA Approves Diagnostix Limited EZ-TOX DON Test Kit to Detect Deoxynivalenol in Milled Rice

WASHINGTON, DC (October 12, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced that the Diagnostix Limited EZ-TOX DON quantitative test kit, Product # 600120-DON, has been expanded to include milled rice for official testing of deoxynivalenol (DON) in the national grain inspection system.

Deoxynivalenol, or DON, is a toxin produced by a mold and can be present in wheat, barley, corn, and other grains.

According to GIPSA administrator James Link, approval of this kit to test additional commodities expands the choice of DON test kits available to the national inspection system.

For technical information contact Lynn Polston, GIPSA Technical Services Division at 816-891-0444, or by email at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 80-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Verifies Performance of Test Kit to Detect Aflatoxin in Corn

WASHINGTON, DC (October 16, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced it verified that the EnviroLogix, Inc. QuickTox™ Kit for Aflatoxin - 10 ppb Bulk Grain, product number #AS 109 BG, qualitative lateral flow strip kit detects the presence of aflatoxin at a threshold of 10 parts per billion in corn in 5 minutes (test strip development time) using 50 percent ethanol as an extraction solvent.

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

More information is available on GIPSA's Rapid Test Performance Evaluation Program web page.

For technical information on test kit performance evaluation, contact Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail.

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News Release

Release No.: 79-06

Contact:
Terry Henry, 202-205-8281
Terri.L.Henry@usda.gov

GIPSA Approves Charm Rosa® Zearalenone Quantitative Test Kit to Detect Zearalenone in Corn

WASHINGTON, DC (October 18, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration today announced that Charm Sciences, Inc., ROSA® Zearalenone (Quantitative) lateral flow strip kit, Product # LF-ZEARQ, has been approved for official testing of zearalenone in the national grain inspection system.

Zearalenone is a toxin produced by a mold and can be present in corn, sorghum, and other grains. Approval of this kit offers the choice of a zearalenone test kit to the national inspection system.

Technical information: Lynn Polston, GIPSA Technical Services Division, 816-891-0444, or by e-mail at Lynn.A.Polston@usda.gov.

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News Release

Release No.: 82-06

Contact:
Terry Henry, 202-205-8281
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GIPSA Verifies Performance of Test Kit to Detect Cry3Bb in Corn

WASHINGTON, DC (November 6, 2006) - The USDA Grain Inspection, Packers and Stockyards Administration has evaluated the EnviroLogix, Inc. QuickStix[®] Kit for YieldGard[®] Rootworm Corn Bulk Grain Test, Product #AS 015 BG, and verified this qualitative lateral flow strip kit can detect the presence of one kernel of Cry3Bb corn in 200 kernels in 5 minutes.

The Cry3Bb proteins are found in genetically engineered corn designed to control corn rootworms.

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

For information on GIPSA's Rapid Test Performance Evaluation Program and Proficiency Program, visit GIPSA's test kit verification web site at <http://archive.gipsa.usda.gov/tech-servsup/metheqp/testkits.pdf>.

For technical information on test kit performance evaluation, contact Lynn Polston, GIPSA Technical Services Division, at Lynn.A.Polston@usda.gov.

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Dana Stewart, 202-720-5091



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News Release

Release No.: 81-06

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USDA Grain Inspection Advisory Committee to Meet

Washington, DC, November 28, 2006 - The USDA, Grain Inspection, Packers and Stockyards Administration's Grain Inspection Advisory Committee will meet December 12-13, 2006, in Washington, DC.

The Committee meeting will take place from 7:30 a.m.-5:00 p.m., December 12, 2006, and 7:30 a.m.- 12:00 p.m., December 13, 2006, at the Marriott at Metro Center, 775 12th Street NW, Washington, DC.

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) 690-2755.

The purpose of the Advisory Committee is to provide advice to the Administrator of the Grain Inspection, Packers and Stockyards Administration with respect to the implementation of the U.S. Grain Standards Act (7 U.S.C. 71 et seq.). Relevant information about the Advisory Committee is available on the GIPSA Web site. Go to <http://archive.gipsa.usda.gov> and click on "Learn About the Advisory Committee" in the "I Want To" section.

The agenda will include updates on the agency's finances, succession planning, use of third-party contracting, central monitoring, international activities, impact of ethanol industry on agency operations, and Liberty Link rice.

For a copy of the agenda, please contact Terri Henry at telephone (202) 205-8281 or by e-mail to Terri.L.Henry@usda.gov.

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.



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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) 690-2755.

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News Release

Release No.: 86-06

Contact:
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GIPSA Official Designation Activities

WASHINGTON, D.C. (Dec 8, 2006)- The USDA Grain Inspection, Packers and Stockyards Administration (GIPSA) announced the following actions on designations to officially inspect and weigh grain in specified areas in California, Indiana, Minnesota, Nebraska, and Virginia.

- GIPSA is asking for applicants to provide official services in the Muncie, Indiana; Fremont, Nebraska; Savage, Minnesota; and West Lafayette, Indiana Areas. GIPSA is asking for applications for the areas, and comments about the current service providers by January 8, 2007.
- California Agri Inspection Company, Ltd. (California Agri); 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, 2007, through December 31, 2009. For official grain inspection services, contact California Agri at (916) 375-5809, Frankfort at (765) 258-3624, Indianapolis at (317) 899-2337, and Virginia at (757) 494-2464.

For further information contact Idelisse Rodríguez at 202-720-5688, fax 202-690-2755 or e-mail Idelisse.Rodriguez@usda.gov

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News Release

Release No.: 14-06

Contact:
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GIPSA Issues a Complaint Against James T. Harmon, d/b/a, J.H. Cattle Company

WASHINGTON, March 2, 2006 - On February 10, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against James T. Harmon (Harmon), d/b/a J.H. Cattle Company of Clovis, New Mexico. Harmon is engaged in the business of buying and selling livestock in commerce for his own account, buying livestock on a commission basis for others, and is a registered livestock dealer subject to the requirements of the Packers and Stockyards Act (P&S Act.)

GIPSA alleges that Harmon has continued to engage in the business of buying and selling livestock in commerce for his own account and buying livestock on a commission basis for others without maintaining an active registration or adequate bond coverage, or bond equivalent, as required by the P&S Act and Regulations.

Additionally, Harmon allegedly violated the P&S Act by failing to pay the full amount of the livestock purchase price within the time period required by the P&S Act. Harmon did not have and maintain sufficient funds on deposit and available in the account upon which checks were drawn to pay the checks when presented. Harmon also failed to keep livestock purchases and sales invoices, contracts, credit agreements, journals, load make-up sheets, scale tickets and trucking or freight records.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Harmon may be ordered to cease and desist from the violations found to exist, suspended as a registrant 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.: 13-06

Contact:
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GIPSA Issues a Complaint Against Beken Livestock, Inc. and Bradley S. Beken

WASHINGTON, March 2, 2006 - On February 8, 2006, Grain Inspection, Packers and Stockyards Administration filed a complaint against Beken Livestock, Inc. and Bradley S. Beken, Weimer, Texas. Beken Livestock is engaged in the business of a dealer, buying and selling livestock in commerce for his own account and is a registered dealer, buying and selling livestock in commerce for his own account. Beken is President, one-hundred percent holder of the stock of Beken Livestock, and is responsible for the direction, management and control of Beken Livestock.

GIPSA alleges that Beken Livestock, under the direction, management, and control of Beken, failed to pay the full amount of the purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Respondents may be ordered to cease and desist from the violations found to exist; suspend Becken Livestock as a registrant under the P&S Act, and assessed a civil penalty.

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News Release

Release No.: 15-06

Contact:
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GIPSA Issues a Complaint Against T-Byrd Cattle Company and Jeremy T. Byrd

WASHINGTON, March 9, 2006 - On February 22, 2006, the Grain Inspection, Packers and Stockyards Administration filed a complaint against T-Byrd Cattle Company and Jeremy T. Byrd of Grapeland, Texas. T-Byrd was engaged in business as a livestock dealer in commerce, buying and selling livestock for its own account and as a registered dealer to buy and sell livestock in commerce for its own account. Byrd is President, Manager, one-hundred percent shareholder of Respondent T-Byrd, and responsible for the day-to-day management, direction, and control of Respondent T-Byrd.

GIPSA alleges that T-Byrd under the direction of Byrd and in violation of the Packers and Stockyards (P&S) Act issued insufficient funds checks and failed to pay, when due, the full purchase price of livestock.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, the respondent may be ordered to cease and desist from violating the P&S Act. Respondent T-Byrd may also be suspended as a registrant under the P&S Act and assessed a civil penalty.

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News Release

Release No.: 16-06

Contact:
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GIPSA Issues a Complaint Against Muenster Livestock Auction Commission, Inc., and Scotty Austin

WASHINGTON, March 9, 2006 - On February 22, 2006, Grain Inspection, Packers and Stockyards Administration filed a complaint against Muenster Livestock Auction Commission, Inc. Muenster, Texas, and Scotty Austin, Valley View, Texas. Muenster was engaged in the business of selling livestock in commerce on a commission basis under the name Muenster Livestock Commission, Muenster, Texas; selling livestock in commerce on a commission basis under the name Bowie Livestock Commission, Bowie Texas; and is registered as a market agency selling on commission. Austin is President; fifty-one percent owner of Muenster; managed, directed, and controlled the daily operations of Muenster both as Muenster Livestock Commission and as Bowie Livestock Commission; a market agency selling livestock in commerce on a commission basis; and is not individually registered with the Secretary of Agriculture in any capacity under the Packers and Stockyards (P&S) Act.

GIPSA alleges that Muenster, under the direction, management, and control of Austin, failed to maintain and use properly its custodial accounts for shippers' proceeds endangering the faithful and prompt accounting and the payment of portions due the owners and consignors of livestock; failed to deposit in custodial accounts for shippers' proceeds within the time prescribed by the regulations; failed to keep and maintain records that fully and correctly disclosed all transaction in the business subject to the P&S Act; and willfully prepared and maintained false records to disguise the custodial account misuse.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Respondents may be ordered to cease and desist from violating the P&S Act, suspended as registrants under the P&S Act, and assessed a civil penalty.

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News Release

Release No.: 10-06

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GIPSA Issues a Complaint Against Larry K. Smeal d/b/a Fatted Calf Cattle Farms

WASHINGTON, March 9, 2006 - On October 24, 2005, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Larry K. Smeal (Smeal), d/b/a Fatted Calf Cattle Farms, Mabank, Texas. Smeal engaged in the business of a market agency buying livestock on a commission basis; is registered as a market agency buying livestock on a commission basis; engaged in the business of a dealer buying and selling livestock on its own account; and is registered as a dealer buying and selling livestock in commerce.

GIPSA alleged in a letter to Smeal on June 21, 2000, that Smeal failed to file and maintain a reasonable bond based on the volume of business in Smeal's most recent annual report. Smeal failed to respond to that letter and subsequent certified letters on July 24, 2000 and July 11, 2002.

Smeal was notified that unless a hearing is waived, either expressly or by failure to answer and request a hearing, a hearing will be held in accordance with the Rules of Practice, at a place and time to be designed later. At the hearing, Smeal will have the right to appear and show cause why an appropriate Order should not be issued in accordance with the provisions of the Packers and Stockyards (P&SP) Act which would required that Smeal cease and desist from violating the P&S Act with respect to the allegation and assessed a civil penalty.

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News Release

Release No.: 01-06

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GIPSA Issues a Complaint Against Frey Cattle Company, Inc., and Alan Halfmann

WASHINGTON, March 9, 2006 - On December 23, 2005, the USDA Grain Inspection, Packers and Stockyards Administration filed a complaint against Frey Cattle Company, Inc. and Alan Halfmann Ballinger, Texas. Frey Cattle is engaged in the business of a dealer buying and selling livestock in commerce for its own account and is registered as a dealer to buy and sell livestock in commerce on commission. Halfmann is engaged in the business of a dealer buying and selling livestock in commerce for the account of Frey Cattle; is Secretary/Treasurer, forty-five percent owner of Frey Cattle; directed, managed, and controlled the operations of Frey Cattle; is a dealer and market agency within the meaning of these terms under the Packers and Stockyards (P&S) Act; and is not registered with the Secretary of Agriculture in any capacity under the P&S Act.

GIPSA alleges that Frey Cattle and Halfmann purchased livestock at auction markets to fill orders taken from customers for a specified number of cattle of a particular weight range; arbitrarily increased weights from the original purchase weights, or from actual weights obtained upon a proper re-weighing supported by complete and accurate scale tickets; and prepared scale tickets with false weights to support these arbitrarily increased weights.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Frey Cattle and Halfmann may be ordered to cease and desist from the violations found to exist, to keep and maintain adequate records and suspended as registrants under the P&S Act.

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News Release

Release No.: 11-06

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GIPSA Issues a Complaint Against David Vander Kooi

WASHINGTON, March 9, 2006 - On December 14, 2005, Grain Inspection, Packers and Stockyards Administration filed a complaint against David Vander Kooi, Merrill, Iowa. Vander Kooi engaged in the business of a dealer buying and selling livestock in commerce for his own account and is registered as a dealer to buy and sell livestock in commerce for his own account.

GIPSA alleges that Vander Kooi failed to pay promptly for livestock purchases; failed to pay the full amount of the purchase price for livestock; failed to keep records that fully and correctly disclosed all transaction involved in his business; and failed to keep: checking account balance records, check transaction records, accounts receivable journals, cash receipt journals, and invoices.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Vander Kooi may be ordered to cease and desist from the violations found to exist and assessed civil penalties as are authorized under the Packers and Stockyards Act.

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News Release

Release No.: 20-06

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Decision Reached in GIPSA's Case Against Richard Garver

WASHINGTON, March 9, 2006 - On January 11, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a decision without hearing by reason of consent agreement with Richard Garver, Wooster, Ohio, a dealer buying and selling on his own account; registered as a dealer buying and selling; and registered as a market agency to buy on a commission basis.

The decision follows a complaint issued on December 14, 2005, in which GIPSA alleges that Garver issued checks in payment for livestock purchases which were returned by the bank because Garver did not have and maintain sufficient funds on deposit and available in the accounts upon which the checks were drawn.

Under the terms of the decision, Garver, in connection with his operations subject to the Packers and Stockyards (P&S) Act agreed to cease and desist from failing to pay the full amount of the purchase price for livestock within the time periods required.

Garver was also suspended as a registrant under the P&S Act for 5 years. The suspension will be terminated after 150 days upon demonstration by Garver that all unpaid livestock sellers identified in the complaint have been paid in full. The provisions of this order became final and effective on issuance.

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News Release

Release No.: 19-06

Contact:
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Decision Reached in GIPSA's Case Against Poor Boy Livestock Auction, Inc.

WASHINGTON, March 9, 2006 - On February 17, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a consent decision with Poor Boy Livestock Auction, Inc., Wister, Oklahoma. Poor Boy is engaged in the business of conducting and operating Poor Boy as a posted stockyard under the Packers and Stockyards (P&S) Act; engaged in the business of a market agency selling livestock on a commission basis; and registered as a market agency to sell livestock in commerce on a commission basis and to furnish stockyard services.

The decision follows a complaint issued on November 15, 2005, in which GIPSA alleged that Poor Boy failed to properly maintain its custodial account for shippers' proceeds; failed to deposit in custodial accounts for shippers' proceeds within the time prescribed by the regulations; and failed to maintain its custodial account despite having been placed on notice, by certified mail, received on August 22, 2003, that the practices alleged were prohibited.

Under the terms of the consent decision, Poor Boy, in connection with this operation subject to the P&S Act, agreed to cease and desist from failing to deposit in the custodial account for shippers' proceeds, within the time prescribed, amounts equal to the proceeds received or due from the sale of consigned livestock and failing to otherwise maintain the custodial account for shippers' proceeds in strict conformity with the provisions of the Regulations.

Poor Boy was also assessed a civil penalty of \$3,000. The provisions of the order became effective on the sixth day after service of this order.

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News Release

Release No.: 21-06

Contact:
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Decision Reached in GIPSA's Case Against Gulf Coast Livestock Commission Co., Inc. and Victor J. Garcia

WASHINGTON, March 9, 2006 - On December 21, 2005, the U.S. Department of Agriculture's Grain Inspection Packer and Stockyards Administration reached a decision without hearing by reason of consent agreement with Gulf Coast Livestock Commission Co., Inc. and Victor J. Garcia, Houston, Texas. Gulf Coast is engaged in the business of a market agency, selling livestock on a commission basis, and as a dealer, buying and selling livestock for its own account and is not registered with the Secretary of Agriculture. Garcia is President; responsible for the direction, management and control of Gulf Coast, including the acts and practices alleged; and is engaged in the business of a dealer, buying and selling livestock for his own account.

The decision follows a complaint issued on October 6, 2005, in which GIPSA alleged that Gulf Coast, under the direction, management and control of Garcia, engaged in business of a market agency, selling livestock on a commission basis, and as a dealer, buying and selling livestock for its own account, without proper registration and bonding; sold livestock on a commission basis and in purported remission of the net proceeds to the consignors for such livestock, is NSF checks; and failed to remit the full amount of the net proceeds from the sale of consigned livestock.

Under the terms of the decision, Gulf Coast and Garcia, in connection with their operation subject to the Packers and Stockyards (P&S) Act agreed to cease and desist from engaging in the business of a market agency, selling livestock on a commission basis, and as a dealer, buying and selling livestock for Gulf Coast's own account or for the accounts of others, without proper registration and bonding; selling livestock on a commission basis and in purported payment to the consignors for such livestock, issuing checks which were returned unpaid by the bank upon which they were drawn because Gulf Coast did not have and maintain sufficient funds on deposit and available in the account upon which such checks were drawn to pay such checks when presented; failing to remit the full amount of the net proceeds for livestock, within the time period required by the P&S Act; buying livestock



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on a dealer basis and in purported payment to the sellers of such livestock, issuing checks which were returned unpaid by the bank upon which they were drawn because Gulf Coast did not have and maintain sufficient funds on deposit and available in the account upon which such checks were drawn to pay such checks when presented; and failing to pay the full amount of the purchase price for livestock, within the time period required by the P&S Act.

Gulf Coast and Garcia will not be registered under the P&S Act for a period of 5 years. Garcia may not be employed by a dealer, market agency or packer subject to the P&S Act for a period of 150 days. The provisions of this order became effective on the sixth day after service of the order.

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News Release

Release No.: 17-06

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Consent Decision Reached in GIPSA's Case Against Valley Pride Pack, Inc. and Frederick R. Stewart

WASHINGTON, March 9, 2006 - On January 30, 2006, USDA's Grain Inspection, Packers and Stockyards Administration reached a consent decision against Valley Pride Pack, Inc., Norwalk, Wisconsin, and Frederick R. Stewart, Tomah, Wisconsin.

The consent decision follows an April 14, 2003, administrative complaint filed by GIPSA against Valley Pride and Stewart. The complaint alleged that Valley Pride and Stewart purchased livestock and failed to pay, when due, the full purchase price of such livestock; as of May 21, 2002, there remained a total of \$182,127.70 unpaid for livestock purchases; and Valley Pride, under the direction, management and control of Stewart issued checks in purported payment for livestock, which were returned unpaid by the bank upon which they were drawn because Valley Pride did not have and maintain sufficient funds on deposit and available in the account to pay the checks when presented.

Valley Pride and Stewart were ordered to cease and desist from issuing checks in payment for livestock purchases without maintaining sufficient funds on deposit and available in the account upon which the checks are drawn; failing to pay, when due, the full purchase price of livestock; and failing to pay the full purchase price of livestock.

Valley Pride and Stewart were also ordered to keep records that fully and correctly disclose all transactions involved in their business subject to the Packers and Stockyards (P&S) Act including, but not limited to, live cattle inventory, invoices and payment receipts for live cattle and/or meat sales, financial reports, and balance sheets.

Valley Pride and Stewart were assessed a civil penalty of \$80,000, for which they are jointly and severally liable. 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.: 24-06

Contact:
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Decision Reached in GIPSA's Case Against Tim Reece, d/b/a Reece Cattle Company

WASHINGTON, March 14, 2006 - On October 27, 2005, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a decision without hearing by reason of consent agreement with Tim Reece, d/b/a Reece Cattle Co., Overbrook, Kansas. Reece is engaged in the business of a dealer, buying and selling livestock in commerce for his own account, and a market agency, buying livestock on a commission basis and is registered as a dealer, to buy and sell livestock in commerce for his own account or the accounts of others, and a market agency, to buy livestock on a commission basis.

The decision follows a complaint issued on February 10, 2005, in which GIPSA alleged that Reece purchased livestock but failed to pay, when due, the purchase price of such livestock in the amount of \$891,194.40.

Under the terms of the decision, Reece was ordered to cease and desist from failing to pay the full amount of the purchase price of livestock. Additionally, Reece was assessed a civil penalty of \$8,000.

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News Release

Release No.: 23-06

Contact:
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Decision Reached in GIPSA's Case Against Seabrite Corporation

WASHINGTON, March 14, 2006 - On December 14, 2005, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a decision without hearing by reason of consent agreement with Seabrite Corporation, Newark, New Jersey. Seabrite is engaged in the business of buying livestock in commerce for the purpose of slaughter and manufacturing or preparing meat or meat food products for sale or shipment in commerce and is a packer within the meaning of and subject to the provisions of the Packers and Stockyards (P&S) Act.

The decision follows a complaint issued on May 25, 2005, in which GIPSA alleged that Seabrite purchased livestock and failed to pay the full amount of the purchase price of livestock within the time period required by the P&S Act.

Under the terms of the decision, Seabrite, was ordered to cease and desist from failing to pay the full amount of the purchase price of livestock within the time period required by the P&S Act. Additionally, Seabrite was assessed a civil penalty of \$1,500.

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News Release

Release No.: 22-06

Contact:
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Decision Reached in GIPSA's Case Against Little Joe Livestock Meats, Inc., and Joseph Pagliuso, Jr.

WASHINGTON, March 14, 2006 - On January 3, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a decision with Little Joe Livestock Meats, Inc. and Joseph Pagliuso, Jr., Ontario, New York. Little Joe is engaged in the business as a dealer to buy and sell livestock for its own account and is registered as a dealer to buy and sell livestock in commerce for its own account. Pagliuso is President/Manager; 100% shareholder of Little Joe; and is responsible for the day-to-day management, direction, and control of Little Joe.

The decision follows a complaint issued on July 22, 2004, in which GIPSA alleged that Little Joe, under the direction, management and control of Pagliuso issued checks in payment for livestock purchases which were returned unpaid; failed to pay, when due, the full purchase price for livestock; and failed to maintain adequate records.

Under the terms of the decision, Little Joe and Pagliuso were ordered to cease and desist from issuing checks in payment for livestock without sufficient funds on deposit and available and failing to pay, when due, the full purchase price of livestock. Little Joe and Pagliuso are to maintain adequate records of account to disclose all transactions involved in its business. Additionally, Little Joe and Pagliuso were assessed a civil penalty of \$6,600.

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News Release

Release No.: 28-06

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Decision Reached in GIPSA's Case Against Washington Livestock Market Center, Inc., d/b/a Quincy Livestock Market and John Rodrick Nuckolls

WASHINGTON, March 16, 2006 - On October 28, 2005, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a decision without hearing by reason of consent agreement with Washington Livestock Market Center, Inc., d/b/a Quincy Livestock Market and John Rodrick Nuckolls, Quincy, Washington. Washington Livestock is a posted stockyard subject to the provisions of the Packers and Stockyards (P&S) Act; engaged in the business of a market agency, selling livestock on a commission basis; and is registered as a market agency to sell livestock on a commission basis. Nuckolls is President and owner of 51% of the stock and is responsible for the direction, management and control of Washington Livestock. Both Washington Livestock and Nuckolls filed for Chapter 11 Bankruptcy on October 6, 2003.

The decision follows a complaint issued on October 8, 2004, in which GIPSA alleged that Washington Livestock under the direction, management and control of Nuckolls failed to maintain and use properly its custodial account for shippers' proceeds. As of May 27, 2003, Washington Livestock had a deficiency in its custodial account of \$132,298.81. As of June 30, 2003, Washington Livestock had a deficiency in its custodial account of \$116,902.92.

Additionally, Washington Livestock under the direction, management and control of Nuckolls sold livestock on a commission basis and in purported payment to the consignors for such livestock, issued checks which were returned unpaid by the bank upon which they were drawn; failed to remit the full amount of the net proceeds for livestock; failed to keep records that fully and correctly disclosed all transactions involved in its business in that it failed to maintain an accounts receivable ledger and a cash receipts journal; and Washington Livestock's check register was inaccurate and it failed to maintain all of its deposit slips.

Under the terms of the decision, Washington Livestock and Nuckolls shall cease and desist failing to maintain and use properly its custodial account for shippers' proceeds; using funds



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received as proceeds from the sale of livestock sold on a commission basis for its own purposes or for any purpose other than the payment of lawful marketing charges and the remittance of net proceeds to the consignors and shippers of livestock; issuing checks in payment for net proceeds from the sale of consigned livestock without having sufficient funds on deposit and available in the custodial account upon which such checks are drawn to pay such checks when presented; and failing to remit the full amount of the net proceeds for livestock within the time period required by the regulations. Washington Livestock shall keep accounts, records and memoranda which fully and correctly disclose all transactions conducted subject to the P&S Act.

Washington Livestock is suspended as a registrant under the P&S Act, and Nuckolls may not register under the P&S Act, for a period of 5 years. Upon application to Packers and Stockyards Program, a supplemental order may be issued terminating the suspension of Washington Livestock at any time after 90 days, upon demonstration to the satisfaction of Packers and Stockyards Program of circumstances warranting modification of the order. The order may be modified upon application to Packers and Stockyards Program to permit Nuckolls' salaried employment by another registrant or packer after the expiration of 90 days of this suspension term and upon demonstration of circumstances warranting modification of the order.

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News Release

Release No.: 31-06

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Decision Reached in GIPSA's Case Against Midwest National Farmers - Sig Ellingson, Inc. and James Gibbons

WASHINGTON, March 16, 2006 - On January 13, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a consent decision with Midwest National Farmers - Sig Ellingson, Inc. (Midwest) and James Gibbons (Gibbons), South St. Paul, Minnesota. Midwest was engaged in the business of conducting and operating as a commission firm at the South St. Paul Union Stockyards, a posted terminal stockyard subject to the provisions of the Packers and Stockyards (P&S) Act; engaged in the business of a market agency buying and selling livestock on a commission basis; and is registered as a market agency to buy and sell livestock in commerce on a commission basis. Gibbons is President and 100% shareholder of Midwest; responsible for the day-to-day direction, management and control of Midwest; and a market agency subject to the provisions of the P&S Act.

The decision follows a complaint issued on July 22, 2004, in which GIPSA alleged that Midwest, under the management, direction, and control of Gibbons sold livestock on a commission basis and issued checks to consignors or shippers of such livestock which were returned unpaid; failed to remit, when due, the net proceeds due from the sale price of such livestock on a commission basis for a total of \$331,448.20; failed to remit \$247,133.29 to the consignors for the sale of livestock.

As of March 31, 2000 and April 30, 2000, Midwest's custodial account had deficiencies of \$351,329.16 and \$289,800.56, respectively.

As of March 31, 2000 and April 30, 2000, Midwest's current liabilities exceeded its current assets by \$218,388.36 and \$231,931.89, respectively.

Under the terms of the decision, Midwest and Gibbons shall cease and desist from issuing checks in payment of the net proceeds from the sale of consigned livestock without having sufficient funds on deposit and available in the custodial account; failing to remit, when



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due, the net proceeds received from the sale of consigned livestock; failing to remit the net proceeds due from the sale of consigned livestock; and failing to timely deposit in the custodial account an amount equal to the proceeds receivable from the sale of consigned livestock.

In addition, Midwest is suspended as a registrant for a period of 5 years and thereafter until Midwest has demonstrated that the shortage in its custodial account for shippers' proceeds has been eliminated. Gibbons shall not be registered with the Secretary of Agriculture for a period of 5 years and is prohibited from operating subject to the P&S Act without being registered. Upon application to the Packers and Stockyards Program (P&SP), a supplemental order may be issued allowing Midwest and Gibbons to operate subject to the P&S Act at any time after the expiration of 210 day of suspension upon demonstration by Midwest and Gibbons of conditions warranting the issuance of a supplemental order, and this order may be notified upon application to the P&SP to permit the salaried employment of Gibbons by another registrant or packer after the expiration of the initial 210 days suspension.

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News Release

Release No.: 30-06

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GIPSA Issues a Complaint Against Steve M. Hand

WASHINGTON, March 20, 2006 - On March 2, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Steve M. Hand (Hand), Ocilla, Georgia. Hand is engaged in the business of a market agency buying livestock on a commission basis; engaged in the business of a dealer buying and selling livestock for his own account in commerce; and is registered as a market agency to buy livestock on commission and as a dealer buying and selling livestock for his own account in commerce.

The complaint alleges that Hand failed to pay promptly for livestock purchases; issued checks in payment for livestock purchases with checks that were returned unpaid by the bank; and failed to pay, when due, for livestock purchases.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Hand may be ordered to cease and desist from the violations found to exist; suspended as a registrant under the Packers and Stockyards (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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Release No.: 29-06

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GIPSA Issues a Complaint Against American Family Farms, Inc., and Tim Dietzler

WASHINGTON, March 20, 2006 -On March 8, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against American Family Farms, Inc. (American) and Tim Dietzler (Dietzler), Elkader, Iowa. American is engaged in the business of buying livestock in commerce for purposes of slaughter; manufacturing or preparing meat and meat food products for sale and shipment in commerce; and a packer subject to the Packers and Stockyards (P&S) Act. Dietzler is Chairman of the Board and Chief Financial Officer of American; owner of from 28.5% to 33.3% of preferred stock of American and with his wife, Becky Dietzler, owns an additional 28.5% to 33.3% of preferred stock of American; owner of from 21.8% to 25.6% of common stock of American, and with his wife, Becky Dietzler, owns an additional 21.8% to 25.6% of the common stock of American; is responsible for the direction, management and control of the business of American; and is a packer subject to the P&S Act.

The complaint alleges that American, under the direction, management and control of Dietzler failed to pay the full amount of the purchase price for livestock within the time period required by the P&S Act.

The complaint also alleges that American's current liabilities exceeded its current assets by \$1,141,203.36.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, American and Dietzler may be ordered to cease and desist from the violations found to exist; assessed a civil penalty; and pay for livestock purchases by cash, wire transfer, or cashier's check.

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Release No.: 27-06

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Decision Reached in GIPSA's Case Against John M. Gibbs, d/b/a John M. Gibbs Livestock

WASHINGTON, March 20, 2006 - On February 16, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a decision without hearing by reason of consent agreement with John M. Gibbs, d/b/a John M. Gibbs Livestock (Gibbs), Altoona, Alabama. Gibbs is engaged in the business of a dealer, buying and selling livestock in commerce for his own account and is registered as a dealer to buy and sell livestock in commerce for his own account, and a market agency, to buy livestock on a commission basis.

The decision follows a complaint issued on July 12, 2005, in which GIPSA alleged that Gibbs failed to pay the full amount of the purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act in the amount of \$77,675.64 and failed to keep records that fully and correctly disclosed all transactions involved in his business.

Under the terms of the decision, Gibbs shall cease and desist from failing to pay the full amount of the purchase price for livestock within the time period required by the P&S Act. Additionally, Gibbs shall keep such accounts, records and memoranda which fully and correctly disclose all transactions conducted subject to the P&S Act. Gibbs is suspended as a registrant for a period of 28 days.

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Decision Reached in GIPSA's Case Against Beken Livestock, Inc. and Bradley S. Beken

WASHINGTON, April 5, 2006 - On March 31, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a decision without hearing by reason of consent with Beken Livestock, Inc. and Bradley S. Beken, Weimar, Texas. Beken Livestock is engaged in the business of a dealer, buying and selling livestock in commerce for his own account and is a registered dealer, buying and selling livestock in commerce for his own account. Beken is President, one-hundred percent holder of the stock of Beken Livestock, and is responsible for the direction, management and control of Beken Livestock.

The decision follows a complaint issued on February 8, 2006, in which GIPSA alleges that Beken Livestock, under the direction, management, and control of Beken, failed to pay the full amount of the purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act.

Under the terms of the decision Beken Livestock and Beken agreed to cease and desist from failing to pay the full amount of the purchase price for livestock within the time period required by the P&S Act. Additionally, Beken Livestock and Beken were assessed a civil penalty of \$7,000.

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Decision Reached in GIPSA's Case Against Harrington Cattle Co., L.L.C.

WASHINGTON, April 19, 2006 - On April 12, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) issued a decision without hearing by reason of default against Harrington Cattle Co., L.L.C. (Harrington), Hickman, Nebraska. Harrington is engaged in the business of a market agency, buying on commission, and is registered with the Secretary of Agriculture as a market agency buying on commission, and as a dealer to buy and sell livestock in commerce for its own account.

The decision follows a complaint issued on May 25, 2005, alleging that Harrington willfully violated the Packers and Stockyards (P&S) Act and regulations. The complaint, along with a copy of the Rules of Practice, were mailed by certified mail, and on June 14, 2005, the complaint came back as other than "unclaimed" or "refused." On January 5, 2006, an employee of the Department of Agriculture served Harrington on the Nebraska Secretary of State's Agent of Record for respondent, Robert William Chapin, Jr., by personal service as is permitted by the Rules of Practice.

Under the terms of the decision Harrington, its agents and employees, directly or indirectly through any corporate or other device, in connection with its operations subject to the P&S Act will cease and desist from engaging in business in any capacity for which bonding is required under the P&S Act and the regulations without filing and maintaining an adequate bond or equivalent. Harrington is suspended as a registrant under the P&S Act until it complies fully with the bonding requirements under the P&S Act and regulations. Provided, however, that upon application to GIPSA, a supplemental order will be issued in this proceeding terminating the suspension upon Harrington's demonstration that it is in full compliance with the bonding requirements. Additionally, Harrington was assessed a civil penalty of \$1,000.

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Release No.:43-06

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GIPSA Issues a Complaint Against Don Latham and Poplar Plains Livestock, Inc.

WASHINGTON, May 8, 2006 - On February 22, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Don Latham (Latham) and Poplar Plains Livestock, Inc. (Poplar), Flemingsburg, Kentucky. Poplar was engaged in the business of buying and selling livestock in commerce for its own account and registered as a dealer to buy livestock in commerce for its own account. Latham is President, Manager, one-hundred percent shareholder of Poplar, and is responsible for the day-to-day management, direction, and control of Poplar.

GIPSA alleges that Poplar under the direction of Latham and in violation of the Packers and Stockyards (P&S) Act issued insufficient funds checks and failed to pay, when due, the full purchase price of livestock.

Failure to file an answer to GIPSA's complaint within the time allowed shall constitute an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Poplar and Latham may be ordered to cease and desist from violations found to exist, assessed a civil penalty, and suspended as registrants under the P&S Act.

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Release No.: 44-06

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GIPSA Issues a Complaint Against Nicholas Meat Packing and Eugene A. Nicholas

WASHINGTON, May 9, 2006 - On April 27, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Nicholas Meat Packing (Meat Packing) and Eugene A. Nicholas (Nicholas), Loganton, Pennsylvania. Meat Packing was engaged in the business of purchasing livestock in commerce for the purpose of slaughter and manufacturing or preparing meats or meat food products for sale or shipment in commerce and a packer within the meaning of and subject to the provisions of the Packers and Stockyards (P&S) Act. Nicholas is President; 100% owner; responsible for the management, direction, and control of Meat Packing; and a packer subject to the P&S Act.

GIPSA alleges that Meat Packing under the direction, management, and control of Nicholas purchased livestock and failed to pay, when due, the full purchase price of the livestock.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Meat Packing and Nicholas may be ordered to cease and desist from violations found to exist and assessed a civil penalty.

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Release No.: 45-06

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GIPSA Issues a Complaint Against Kenneth E. Barrows, d/b/a Schaller's Meats or North American Packers

WASHINGTON, May 9, 2006 - On May 1, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Kenneth E. Barrows (Barrows), d/b/a Schaller's Meats or North American Packers, Bridgewater, New York. Barrows was engaged in the business of buying livestock in commerce for the purpose of slaughter, manufacturing or preparing meats or meat food products for sale or shipment in commerce and marketing meat food products acting as a wholesale broker dealer or distributor in commerce, and a packer subject to the Packers and Stockyards (P&S) Act.

GIPSA alleges that Barrows purchased livestock and failed to pay; failed to pay, when due, the full purchase price of the livestock; and failed to keep records that fully and correctly disclosed all transactions involved in his business.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Barrows may be ordered to cease and desist from violations found to exist and assessed a civil penalty.

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News Release

Release No.: 41-06

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Decision Reached in GIPSA's Case Against Weikert's Livestock, Inc. and Todd D. Weikert

WASHINGTON, May 10, 2006 - On December 23, 2005, a complaint was issued charging that Weikert's Livestock, Inc. (Weikert's Livestock) and Todd D. Weikert (Weikert), Fairfield, Pennsylvania, had failed to pay for livestock purchases within the time period required by the Packers and Stockyards (P&S) Act. On April 21, 2006, a consent decision agreed to by the parties was issued. Under the terms of the consent decision, Weikert's Livestock and Weikert were ordered to cease and desist from failing to pay, within the time period required by the P&S Act, the full purchase price of livestock, and were assessed a civil penalty of \$10,000. Weikert's Livestock was engaged in the business of a dealer buying and selling livestock in commerce for its own account; is registered as a dealer to buy and sell livestock in commerce; and as a market agency to buy livestock in commerce on commission. Weikert was president of Weikert's Livestock; engaged in the business of a dealer buying and selling livestock in commerce as the agent or employee of Weikert's Livestock; a dealer and a market agency within the meaning of these terms under the P&S Act and subject to the P&S Act; and not individually registered with the Secretary of Agriculture.

As Weikert's Livestock and Weikert had demonstrated that they had completed making agreed payments to livestock sellers required by a prior consent decision issued on September 19, 2002, a supplemental order was issued on April 21, 2006, terminating the 10 year suspension that had been held in abeyance during the period restitution was made. The cease and desist provisions of this 2002 order remain in effect.

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Release No.: 38-06

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GIPSA Issues A Complaint Against GFI America, Inc., d/b/a Nicollet Cattle Trading, Gary Goldberger, and Nicollet Cattle Company, Inc.

WASHINGTON, May 11, 2006 - On April 19, 2006, the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against GFI America, Inc., d/b/a Nicollet Cattle Trading (GFI) Minneapolis, Minnesota; Gary Goldberger; and a Notice to Show Cause against Nicollet Cattle Co., Inc. GFI was engaged in the business of a dealer buying and selling livestock in commerce for its own account; as a market agency buying on commission; and is registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce, and as a market agency buying on commission. GFI is currently a nonoperating debtor in a bankruptcy proceeding.

Gary Goldberger (Goldberger), Eagan, Minnesota, was vice president, director and shareholder of GFI. The person managing, directing and controlling the dealer and market agency buying on commission operations that GFI has conducted under the trade name "Nicollet Cattle Trading" since its registration under the Packers and Stockyards (P&S) Act on March 3, 2003. Goldberger has been president and 50% owner of Nicollet Cattle Company, Inc. (Nicollet), Minneapolis, Minnesota, since February 14, 2005. The person managing, directing, and controlling the dealer and market agency buying on commission activities of Nicollet. Engaged in the business of a dealer, buying and selling livestock in commerce for the accounts of GFI and Nicollet, and for the account of others as an employee of GFI and is not individually registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce, or as a market agency buying on commission.

Nicollet was organized to spin off, under the same management and using the same personnel, all the dealer and market agency buying on commission operations that GFI was registered and bonded to conduct under the trade name "Nicollet Cattle Trading;" Nicollet submitted an application for registration under the P&S Act as a dealer buying and selling livestock in commerce; Nicollet was issued a surety bond in the amount of \$200,000 effective March 31, 2005; and this surety bond was terminated on June 17, 2005. Nicollet is not registered as a dealer.



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GIPSA alleges that GFI, under the direction, management, and control of Goldberger, purchased livestock as a dealer or market agency buying on commission for disclosed principals; failed to pay for the livestock; and issued checks totaling \$3,027,316.24 that were returned for insufficient funds. The Notice to Show Cause provides Nicollet, whose president and 50% owner is Goldberger, with the opportunity to show cause why its application for registration should not be denied.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, GFI, Nicollet, and Goldberger may be ordered to cease and desist from the violations found to exist, suspended as a registrant under the P&S Act, and assessed a civil penalty.

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News Release

Release No.: 48-06

Contact:
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Decision Reached in GIPSA's Case Against Frey Cattle Company, Inc. and Alan Halfmann

WASHINGTON, May 25, 2006 - On May 23, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) issued a decision against Frey Cattle Company, Inc. (Frey Cattle) and Alan Halfmann (Halfmann), Ballinger, Texas. Frey Cattle is engaged in the business of a dealer buying and selling livestock in commerce for its own account and is registered as a dealer to buy and sell livestock in commerce and as a market agency to buy livestock in commerce on commission. Halfmann is engaged in the business of a dealer buying and selling livestock in commerce for the account of Frey Cattle; is Secretary/Treasurer, forty-five percent owner of Frey Cattle; directed, managed, and controlled the operations of Frey Cattle; is a dealer and market agency within the meaning of these terms under the Packers and Stockyards (P&S) Act; and is not individually registered with the Secretary of Agriculture in any capacity under the P&S Act.

The decision follows a complaint issued on December 23, 2005, alleging that Frey Cattle and Halfmann purchased livestock at auction markets to fill orders taken from customers for a specified number of cattle of a particular weight range; arbitrarily increased weights from the original purchase weights, or from actual weights obtained upon a proper re-weighing supported by complete and accurate scale tickets; and prepared scale tickets with false weights to support these arbitrarily increased weights.

Under the terms of the decision Frey Cattle and Halfmann were ordered to cease and desist from selling livestock on false or arbitrarily increased weights, or on any weights other than the original purchase weights of the livestock or that actual weights determined upon a proper reweighing of the livestock; failing to disclose on the accountings, bills or statements issued when livestock is sold, the location and date where the actual weight is determined; issuing sales invoices or other records containing false or arbitrarily increased livestock weights; creating false scale tickets; and failing to properly use and complete scale tickets in connection with the weighing of livestock. Frey Cattle and Halfmann are to keep and maintain accounts, records and memoranda that fully and correctly disclose their transactions subject to the P&S Act and the regulations. Additionally, Frey Cattle and Halfmann were assessed a civil penalty of \$35,000.



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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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Decision Reached in GIPSA's Case Against Frey Cattle Company, Inc. and Alan Halfmann

Washington, D.C., May 24, 2006 - Grain Inspection, Packers and Stockyards Administrator (GIPSA) James E. Link today announced the selection of Alan Christian as Deputy Administrator of the Packers and Stockyards Program (P&SP).

"I'm thrilled to have Alan Christian join the GIPSA team. He is a committed public servant with an invaluable working knowledge of investigative processes," said Link. "Alan's leadership and management experience within the Department will be a tremendous asset to GIPSA and the organizational changes the Agency will be undertaking in response to the recent OIG report."

Christian currently serves as the Director of Investigative and Enforcement Services with the USDA's Animal and Plant Health Inspection Service (APHIS). Formerly, Christian was a Regional Director for APHIS' Regulatory Enforcement Program and a Senior Investigator with APHIS Veterinary Services.

Christian earned a Bachelor of Arts in Zoology from The University of South Florida in Tampa, Florida, and a Master of Science in Biology from Worcester State College in Worcester, Massachusetts.

GIPSA's Packers and Stockyards Program protects the integrity of the livestock, meat, and poultry markets for the benefit of American Agriculture. P&SP administers the Packers and Stockyards (P&S) Act of 1921. In the words of the Congress, the purpose of the P&S Act is "to assure fair competition and fair trade practices, to safeguard farmers and ranchers. . .to protect consumers. . .and to protect members of the livestock, meat, and poultry industries from unfair, deceptive, unjustly discriminatory and monopolistic practices. . . ." P&SP's major enforcement areas are payment protection, unfair, deceptive, and fraudulent practices, and competition. Further information on the Packers and Stockyards Program is available at the [gipsa](http://gipsa.usda.gov) web site.

Amanda Taylor 202-720-0219



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News Release

Release No.: 50-06

Contact:
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GIPSA Issues A Complaint Against Bruce H. Compton

WASHINGTON, June 5, 2006 - On May 11, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Bruce H. Compton (Compton), Sioux City, Iowa. GIPSA alleges that Compton engaged in business as a dealer buying and selling livestock in commerce and as a market agency buying and selling livestock in commerce on a commission basis without maintaining an adequate bond or bond equivalent.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Compton may be ordered to cease and desist from the violations found to exist; suspended; and assessed civil penalties as are authorized under the Packers and Stockyards (P&S) Act.

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.: 52-06

Contact:
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GIPSA Issues A Complaint Against Philip O. Mattes, Jr., d/b/a R or M Cattle Company

WASHINGTON, June 14, 2006 - On June 12, 2006, the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Philip O. Mattes, Jr. (Mattes), d/b/a R or M Cattle Company (R or M), Thorp, Wisconsin. GIPSA alleges that Mattes doing business as R or M Cattle, issued checks in payment for livestock purchases which were returned unpaid by the bank from which they were drawn and failed to pay the full purchase price of livestock.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted or proven in an oral hearing, Mattes and R or M may be ordered to cease and desist from the violations found to exist; suspended; and assessed civil penalties as are authorized under the Packers and Stockyards (P&S) Act.

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News Release

Release No.: 51-06

Contact:
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GIPSA Issues A Complaint Against Michael Claude Edwards, d/b/a Michael Claude Edwards Livestock

WASHINGTON, June 14, 2006 - On June 12, 2006, the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Michael Claude Edwards, d/b/a Michael Claude Edwards Livestock (Edwards), Jefferson, North Carolina. GIPSA alleges that Edwards failed to pay the full amount of the purchase price for livestock within the time period required by the Packers and Stockyards (P&S) Act; failed to keep records that disclosed all transactions involved in his business; did not maintain a checking account; and did not retain copies of the third-party checks he used to pay for his livestock purchases.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted or proven in an oral hearing, Edwards may be ordered to cease and desist from the violations found to exist; suspended; and assessed civil penalties as are authorized under the P&S Act.

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News Release

Release No.: 53-06

Contact:
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GIPSA Issues A Complaint Against Aplington Sales Commission, Inc.

WASHINGTON, June 14, 2006 - On June 12, 2006, the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Aplington Sales Commission, Inc. (Aplington), Aplington, Iowa. GIPSA alleges that Aplington failed to properly maintain its Custodial Account for Shippers Proceeds causing shortages in its custodial account endangering payment to livestock sellers. Aplington failed to deposit in its custodial account, in a timely fashion, an amount equal to the proceeds received from the sale of consigned livestock. Additionally, Aplington allowed its bank to directly withdraw funds from its custodial account for repayment on a previously-issued loan.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted or proven in an oral hearing, Aplington may be ordered to cease and desist from the violations found to exist; suspended; and assessed civil penalties as are authorized under the Packers and Stockyards (P&S) Act.

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News Release

Release No.: 56-06

Contact:
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GIPSA Issues A Complaint And Notice of Hearing Against Pork King Packing, Inc. and Thomas Mileski

WASHINGTON, June 28, 2006 - On June 21, 2006, the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint and notice of hearing against Pork King Packing, Inc. (Pork King) and Thomas Mileski (Mileski), Marengo, Illinois. Pork King was engaged in the business of buying livestock in commerce for purposes of slaughter and is a packer subject to the Packers and Stockyards (P&S) Act. Mileski is the president and twenty-five percent owner of Pork King; is in charge of hog procurement and accounting for Pork King; and is a packer subject to the P&S Act.

GIPSA alleges that Pork King and Mileski, despite a 1998 cease and desist order and letters of notice, continued failing to pay for livestock within the time period required by the P&S Act.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted or proven in an oral hearing, Pork King and Mileski may be ordered to cease and desist from the violations found to exist, and assessed civil penalties as are authorized under the P&S Act.

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.: 55-06

Contact:
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Decision Reached In GIPSA's Case Against R. Robert Lamb

WASHINGTON, June 28, 2006 - On June 12, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration reached a decision without hearing by reason of consent agreement with R. Robert Lamb (Lamb), Burnettsville, Indiana. Lamb is a dealer buying and selling livestock in commerce for his own account and a market agency buying livestock on a commission basis.

The decision follows a complaint issued on August 26, 2004, alleging that Lamb purchased livestock and failed to pay, when due, the full purchase price of livestock.

Under the terms of the decision, Lamb has been ordered to cease and desist from failing to pay, when due, the full purchase price of livestock. Lamb was also suspended as a registrant under the Packers and Stockyards (P&S) Act for 5 years. The suspension will be terminated after 120 days if Lamb demonstrates circumstances warranting modification of the order.

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News Release

Release No.: 61-06

Contact:
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Decision Reached in GIPSA's Case Against Thomas Schaefer and Schaefer Cattle Company, LLC, d/b/a Schaefer Cattle Company and as Belgrade Livestock Auction Market

WASHINGTON, July 28, 2006 - On March 8, 2006, Grain Inspection, Packers and Stockyards Administration filed a complaint charging that Thomas Schaefer (Schaefer), and Schaefer Cattle Company, LLC (Schaefer Cattle), d/b/a Schaefer Cattle Company also as Belgrade Livestock Market, Belgrade, Minnesota, made secret payments to salaried buyers, without the knowledge of the buyer-principals. It is a violation of the Packers and Stockyards (P&S) Act for a market agency selling livestock on commission to pay any personal or business expenses of livestock buyers.

On June 21, 2006, Schaefer and Schaefer Cattle agreed to cease and desist from paying any personal or business expenses of livestock buyers or otherwise committing unfair and deceptive practices in violation of the P&S Act. Schaefer and Schaefer Cattle were assessed a \$10,000 civil penalty. Schaefer Cattle was suspended for seven days starting July 1, 2006. Schaefer was barred from registering in any capacity that is subject to the P&S Act for the seven days that Schaefer Cattle was suspended.

Schaefer Cattle was engaged in and registered to buy and sell livestock in commerce for its own account and to sell livestock on a commission basis. Schaefer was president, manager, and 100% owner of Schaefer 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.: 60-06

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Decision Reach in GIPSA's Case Against Larry K. Smeal d/b/a Fatted Calf Cattle Farms

WASHINGTON, July 28, 2006 - On July 25, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a decision without hearing with Larry K. Smeal (Smeal), d/b/a Fatted Calf Cattle Farms, Mabank, Texas. Smeal engaged in the business of a market agency buying livestock on a commission basis; is registered as a market agency buying livestock on a commission basis; engaged in the business of a dealer buying and selling livestock on its own account; and is registered as a dealer buying and selling livestock in commerce.

The decision follows a complaint issued on October 24, 2005, in which GIPSA alleged in a letter to Smeal on June 21, 2000, that Smeal failed to file and maintain a reasonable bond based on the volume of business in Smeal's most recent annual report. Smeal failed to respond to that letter and subsequent certified letters on July 24, 2000 and July 11, 2002.

Under the terms of the decision, Smeal is ordered to cease and desist from engaging in the business of a market agency buying on a commission basis or a dealer buying or selling livestock in commerce without maintaining an adequate bond. In addition, Smeal is suspended as a registrant under the Packers and Stockyards Act for a period of one year.

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News Release

Release No.: 67-06

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Consent Decision Reached in GIPSA's Case Against Beeville Livestock Commission, Inc. and W.E. Butler

WASHINGTON, August 21, 2006 - On August 2, 2006, the U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a consent decision with Beeville Livestock Commission, Inc. (Beeville) and W.E. Butler (Butler), Beeville, Texas. Butler is the president of Beeville and responsible for the management, direction, and control of Beeville's operations. Beeville is a market agency selling livestock on a commission basis and registered as such with the Secretary of Agriculture.

The decision follows a complaint issued on December 1, 2004, in which GIPSA alleged that Beeville and Butler violated the Packers and Stockyards Act and regulations. In the complaint, GIPSA alleged Beeville and Butler failed to timely deposit into their custodial account an amount equal to the proceeds receivable from the sale of consigned livestock. GIPSA also alleged Beeville and Butler issued NSF checks; and withdrew commissions and yardage fees from their custodial account while the account was short of funds.

Under the terms of the consent decision Beeville and Butler agreed to cease and desist failing to timely deposit into the custodial account an amount equal to the proceeds receivable from the sale of consigned livestock. Beeville and Butler also agreed to cease and desist from misusing the custodial account by making unlawful withdrawals and transfers.

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.: 70-06

Contact:
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GIPSA Announces Decision Against Poplar Plains Livestock, Inc., and Don Latham

WASHINGTON, September 22, 2006 - On August 24, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a decision to cease and desist, and order by reason of admissions with Don Latham (Latham) and Poplar Plains Livestock, Inc. (Poplar), Flemingsburg, Kentucky. Latham is President, Manager, one-hundred percent shareholder of Poplar, and responsible for the day-to-day-management, direction, and control of Poplar.

The decision follows a complaint issued on February 22, 2006, in which GIPSA alleges that Poplar under the direction of Latham and in violation of the Packers and Stockyards (P&S) Act issued insufficient funds checks and failed to pay, when due, the full purchase price of livestock.

Under the terms of the decision, Latham and Poplar were ordered to cease and desist from issuing insufficient funds checks, failing to pay, and failing to pay, when due, the full purchase prices of livestock. Additionally, Latham and Poplar's registration under the P&S Act is suspended for a period of five years.

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News Release

Release No.: 71-06

Contact:
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GIPSA Issues a Complaint Against Madison Livestock Sales, LLC

WASHINGTON, September 22, 2006 - On August 28, 2006, the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint against Madison Livestock Sales, LLC (Madison), Richmond, Kentucky. Madison is engaged in business as a market agency selling on commission, a dealer buying and selling livestock in commerce, and is registered with the Secretary of Agriculture as a market agency to buy and sell livestock in commerce and as a livestock dealer.

GIPSA alleges that Madison misused and failed to properly maintain its Custodial Account for Shippers' Proceeds endangering the payment due the owners or consignors of livestock.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Madison may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act and may be suspended as a registrant under the Act.

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News Release

Release No.: 72-06

Contact:
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GIPSA Issues a Complaint Against Andrew Pudliner, DBA Publiner Packing

WASHINGTON, September 22, 2006 - On August 30, 2006, the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint and notice of hearing against Andrew Pudliner (Pudliner), d/b/a Pudliner Packing, Johnstown, Pennsylvania. Pudliner is engaged in the business of buying livestock in commerce for purposes of slaughter; engaged in the business of slaughtering cattle and manufacturing or preparing meat or meat products for sale or shipment in commerce, and is a packer subject to the Packers and Stockyards (P&S) Act.

GIPSA alleges that Pudliner, despite letters of notice, failed to pay for livestock within the time period required by the P&S Act.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, Pudliner may be ordered to cease and desist from violating the P&S Act and be assessed a civil penalty.

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News Release

Release No.: 73-06

Contact:
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GIPSA Announces Decision Against T-Byrd Cattle Company and Jeremy T. Byrd

WASHINGTON, September 22, 2006 - On August 31, 2006, the Grain Inspection, Packers and Stockyards Administration (GIPSA) reached a decision and order by reason of consent with T-Byrd Cattle Company (TByrd) and Jeremy T. Byrd (Byrd) of Grapeland, Texas. Byrd is President, Manager, one-hundred percent shareholder of T-Byrd, and responsible for the day-to-day management, direction, and control of T-Byrd.

The decision follows a complaint issued on February 22, 2006, in which GIPSA alleges that T-Byrd under the direction of Byrd operated in violation of the Packers and Stockyards (P&S) Act.

T-Byrd and Byrd agreed to cease and desist from issuing insufficient funds checks and failing to pay, when due, the full purchase price of livestock. Additionally, T-Byrd and Byrd were assessed a civil penalty of \$11,250.

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News Release

Release No.: 85-06

Contact:
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GIPSA ISSUES A COMPLAINT AGAINST PM BEEF HOLDINGS, LLC

WASHINGTON, November 21, 2006 - On October 23, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a complaint and notice of hearing against PM Beef Holdings, LLC (PM Beef), Richmond, Virginia. PM Beef operates a packing plant in Windom, Minnesota. PM Beef is engaged in the business of buying livestock in commerce for purposes of slaughter; engaged in the business of slaughtering cattle and manufacturing or preparing meat or meat products for sale or shipment in commerce, and is a packer subject to the Packers and Stockyards (P&S) Act.

GIPSA alleges that PM Beef issued NSF checks; failed to pay, when due, for livestock purchases; operated as a slaughtering packer while insolvent; and purchased livestock on credit from livestock sellers without obtaining a written acknowledgement from the sellers that they were waiving their rights under the trust provisions of the P&S Act. As of February 28, 2006, PM Beef was insolvent by nearly \$16 million.

Failure to file an answer to GIPSA's complaint within the time allowed constitutes an admission of the allegations. If the allegations are admitted, or proven in an oral hearing, PM Beef may be ordered to cease and desist from violating the P&S Act and be assessed a civil penalty.

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News Release

Release No.: 84-06

Contact:
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GIPSA Announces Decision Against Steve M. Hand

WASHINGTON, November 21, 2006 - On October 12, 2006, Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a consent decision with Steve M. Hand (Hand), Ocilla, Georgia. Hand is registered and engaged in the business of a market agency buying livestock on a commission basis and of a dealer buying and selling livestock for his own account in commerce.

The decision follows a complaint issued on March 2, 2006, in which GIPSA alleges that Hand failed to pay promptly for livestock purchases and issued checks in payment for livestock purchases with checks that were returned unpaid by the bank.

Under the terms of the decision, Hand was ordered to cease and desist from issuing insufficient funds checks, purchasing livestock and failing to pay, when due, for livestock purchases. Additionally, Hand is assessed a civil penalty in the amount of \$3,000.

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News Release

Release No.: 83-06

Contact:
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E.N.A. Meat Packing, Inc. Ordered to Show Cause

WASHINGTON, November 22, 2006 - On October 27, 2006, E.N.A. (E.N.A.) Meat Packing, Inc., Paterson, New Jersey, failed to appear at its hearing to show cause why E.N.A. should not be held in contempt of the Court's August 14, 2006, order to fully comply with Grain Inspection, Packers and Stockyards Administration's subpoena duces tecum in connection with E.N.A.'s prior failure to file a special report required under Section 6 of the Federal Trade Commission (FTC) Act.

On November 8, 2006, Judge William J. Martini, United States District Judge for the District of New Jersey, ordered that Ed Kucukkarca, E.N.A. Vice President, was guilty of Civil Contempt of Court for his continued defiance of the prior order. Additionally, Judge Martini ordered E.N.A. and Mr. Kucukkarca to pay a penalty of \$16,610 and Mr. Kucukkarca incarcerated until he fully and completely complies with the Court's August 14, 2006, order directing him to file the special report required under Section 6 of the FTC Act.

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

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

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.