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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)	P & S Docket No. D- <i>09-0008</i>
)	
Bruce and Susie Ford d/b/a)	
Ford Horse Ranch,)	
)	
)	
Respondent)	Complaint

There is reason to believe that the Respondent named herein has willfully violated the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.; hereinafter referred to as the “Act”), and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 et seq.; hereinafter referred to as the “Regulations”), therefore, this complaint is issued alleging the following:

I.

(a) Bruce and Susie Ford d/b/a Ford Horse Ranch, hereinafter referred to as “Respondents,” are individuals whose mailing address is 29584 W.C.R. 388, Kersey, Colorado 80644.

(b) At all times material herein, Respondents were:

- (1) Engaged in the business of buying livestock in commerce on a commission basis and buying and selling livestock in commerce for their own account or the account of others; and
- (2) Not registered as a dealer or market agency with the Secretary of Agriculture; and

(3) At all times material to this Complaint, operating as a market agency and dealer within the jurisdiction of the Secretary.

II.

On December 21, 2005, the Respondents were notified by certified letter that the Packers and Stockyards Program had information indicating that the Respondents were engaging in livestock operations covered by the Act without being registered as required. The letter referenced section 303 of the Act (7 U.S.C. § 203), 7 U.S.C § 204, and 9 C.F.R §§ 201.10 and 201.27- 201.34, and notified the Respondents of their obligation to file an application for registration and proof of suitable bond or bond equivalent with Packers and Stockyards Program before engaging in any operations subject to the Act.

From December 27, 2005 to June 25, 2007, representatives of Packers and Stockyards Program spoke to Susie Ford on the telephone four times and instructed her to submit the required registration and bonding information. The representatives also instructed the Respondents to refrain from engaging in activities subject to the Act until the bonding requirements had been met. Notwithstanding such notice, the Respondents continued to engage in the business of a dealer without registering with the Secretary or maintaining an adequate bond as required by the Act and the Regulations.

III.

On or about the dates and in the transactions set forth below, Respondent engaged in the business of buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent. The transactions occurred at five posted stockyards in Colorado: (1) Centennial

Livestock Auction Co., Inc.; (2) Winter Livestock, Inc.; (3) Horse Creek Sale Company, LLC; (4) Brush Livestock of Colorado, Inc.; and (5) Colorado Horse Company, Inc. Additional transactions occurred at: (1) Billings Livestock Commission Company in Montana ("Billings"); (2) Imperial Livestock Auction Market in Nebraska ("Imperial"); (3) Colby Livestock Auction in Kansas ("Colby"); and (4) Worland Livestock Auction in Wyoming ("Worland").

Purchased From	Purchase Date	No. of Head	Sold To	Sale Date	No. of Head
Bass, Damon	5/11/07	3	Friends of Horses	5/22/07	3
Billings	2/25/07	1	Thompson ¹	4/4/07	1
Brush Livestock	10/14/06	1 ²	Billings	2/25/07	1
Centennial Livestock Auction Company	7/26/06	1	Columbine Ranch	8/2/06	1
	8/2/06	1	Rappell	8/16/06	1
	8/9/06	1	Five Rivers Ranch	8/16/06	1
	8/9/06	1	Billings	10/30/06	1
	9/20/06	2	Billings	10/30/06	2
	11/1/06	1	Billings	2/25/07	1
	1/3/07	1	Billings	2/25/07	1
	4/25/07	1	Friends of Horses	5/1/07	1
Colby Livestock	4/2/07	1	Friends of Horses	4/4/07	1
Colorado Horse Company	1/20/07	1	Ron Bacon (WY)	2/17/07	1
Fabrizius, Jason	3/31/07	1	Paws Up Horse Ranch (MT)	4/2/07	1
Horse Creek Sale Company	9/30/06	1	Reid, Jeff	10/13/06	1
	1/27/07	1	Billings	2/25/07	1
	4/28/07		Friends of Horses	5/1/07	
Imperial Livestock	3/3/07	1	Paws Up Horse Ranch (MT)	4/2/07	1
Winter Livestock	7/28/06	3	Matt Anderson	8/1/06	2
			Billings	2/25/07	1 ³
Worland Livestock	4/7/07	1	Friends of Horses	4/20/07	1

¹ Respondents sold this horse to Rose Bishop, Bennett, Colorado on March 23, 2007. Apparently, Respondent got the horse back because it was resold to Les Thompson on April 4, 2007.

² Respondent sold this horse to Marvin Garrett, Belle Fourche, South Dakota, on December 12, 2006. Apparently, Respondent got the horse back because it was resold at Billings Livestock.

³ Respondent sold this horse to Trevor & Linda Kaisler, Belle Fourche, South Dakota, on August 1, 2006. Trevor & Linda Kaisler apparently rejected the horse because it was resold at Billings Livestock.

IV.

Respondents failed to keep accounts, records, and memoranda that fully and correctly disclosed all transactions involved in their business, as required by section 401 of the Act (7 U.S.C. § 221), including but not limited to, accounts receivable and payable journals, cash receipt and disbursement journals, correspondence with sellers and buyers, purchase invoices, contracts, inventory records, sales invoices, trucking records, brand and health records, bank statements, and registers.

V.

By reason of the facts alleged in paragraph III, the Respondents have engaged in operations subject to the Act without maintaining an adequate bond and therefore have willfully violated section 312(a) of the Act (7 U.S.C. § 213(a)), and sections 201.29 and 201.30 of the Regulations (9 C.F.R. §§ 201.29, 201.30).

By reason of the facts alleged in paragraph IV herein, the Respondents have failed to keep records as required by section 401 of the Act (7 U.S.C. § 221) and, therefore, have willfully engaged in an "unfair practice" in violation of section 312 (a) of the Act (7 U.S.C. §213(a)).

WHEREFORE, it is hereby ordered that this complaint shall be served upon Respondent for the purpose of determining whether Respondent has willfully violated the Act and Regulations. Respondent shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, United States Department of Agriculture, Washington D.C. 20250, in accordance with the Rules of Practice Governing Proceedings Under the Act (7 C.F.R. § 1.130 et seq.; "Rules of Practice"). Allegations not answered shall be deemed admitted

for the purpose of this proceeding. Failure to file an answer will constitute an admission of all the material allegations of this complaint.

Packers and Stockyards Program, GIPSA, requests:

1. That unless Respondent fails to file an answer within the time allowed, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice; and
2. That such order or orders be issued, including an order requiring Respondent to cease and desist from the violations of the Act found to exist, and suspending Respondent as a registrant under the Act, as are authorized by the Act and warranted in the premises.

Done at Washington, D.C.

this 8 day of October, 2008



Alan R. Christian
Deputy Administrator,
Packers and Stockyards Program



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