



UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) P & S Docket No. D-15- 0054
Well Bred Farms, Inc.)
Respondent) Complaint and Notice of Hearing

There is reason to believe that the respondent named herein has willfully violated provisions of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*) therefore, this complaint and notice of hearing is issued alleging the following:

I.

(a) Well Bred Farms, Inc., hereinafter referred to as respondent, is a business incorporated in the Commonwealth of Pennsylvania and located at 1215 Arbogast Church Road, Mt. Pleasant, Pennsylvania 17853.

(b) Respondent at all times material herein was engaged in business as a live poultry dealer in the Commonwealth of Pennsylvania.

II.

(a) On or about December 5, 2012 through May 12, 2013, respondent purchased from sellers Curt Stroup (Evendale), Robert Kerstetter, Mark Hoffman, and Leroy Fisher a total of one hundred thirteen thousand, nine hundred seventy-four poultry (113,974) for a total price of seventy-seven thousand, two hundred twenty-five dollars and forty cents (\$77,225.40) and failed to pay when due the full purchase price of such poultry, in violation of 7 U.S.C. § 228b-1(a). (See Exhibit).

III.

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondent has in fact willfully violated the Act and the regulations issued hereunder, this complaint and notice of hearing shall be served upon the respondent. The respondent has twenty (20) days in which to file with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, an answer in accordance with the rules of practice governing proceedings under the Act (7 C.F.R. § 1.130 *et seq.*). Failure to file an answer shall constitute an admission of all the material allegations of this complaint and notice of hearing.

Respondent is hereby notified that unless 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 designated later. At the hearing, Respondent will have the right to appear and show cause why an appropriate order should not be issued in accordance with the provisions of the Act requiring Respondent to cease and desist from violating the Act with respect to the matters alleged herein and assessing such civil penalties as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.
this 8th day of January, 2014



Susan B. Keith
Deputy Administrator
Packers and Stockyards Program

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US Department of Agriculture Packers and Stockyards Program (P&SP)

Schedule of Failure to Pay Poultry Growers When Due

Entity Information														
On-Site Review Date	Entity Name					DBA								
6/6/2013	Well Bred Farms, Inc.													
Basic Info			Calculations				Payment							
Farm Name	Date Placed	Number Placed	Date "Sold"	Number "Sold"	Pay Rate	Final Pay	Check Amount	Check Number	Check Date	Due Date	Balance	Days Late	Exhibit Number	
Curt Stroup	10/11/12	11,680	01/16/13	2,562	0.65	\$1,665.30	\$5,000.00	5967	04/09/13	02/04/13	(3,334.70)	64		
	10/18/12	12,400	01/20/13	3,528	0.65	\$2,293.20		5967	04/09/13	02/11/13	(1,041.50)	57		
	10/25/12	6,600	01/23/13	3,528	0.65	\$2,293.20	\$5,000.00	5995	04/30/13	02/11/13	(3,748.30)	78		
			30,680	01/27/13	3,528	0.65	\$2,293.20		5995	04/30/13	02/18/13	(1,455.10)	71	
				01/30/13	2,212	0.65	\$1,437.80		5995	04/30/13	02/18/13	(17.30)	71	
				02/03/13	4,032	0.65	\$2,620.80	\$4,387.10	6027	06/04/13	02/25/13	(1,783.60)	99	
				02/13/13	2,744	0.65	\$1,783.60		6027	06/04/13	03/04/13	0.00	92	
				22,134		\$14,387.10	\$14,387.10						A-1	
Curt Stroup Evendale	11/23/12	6,500	02/20/13	1,008	0.70	\$705.60	\$4,049.50	5994	04/30/13	03/11/13	(3,343.90)	50		
			03/03/13	3,528	0.70	\$2,469.60		5994	04/30/13	03/25/13	(874.30)	36		
			03/10/13	1,694	0.70	\$1,185.80	\$311.50	6028	06/05/13	04/01/13	(0.00)	65		
				6,230		\$4,361.00	\$4,361.00						A-2	
Robert Kerstetter	09/07/12	11,725	12/05/12	1,288	0.65	\$837.20	\$5,000.00	5930	02/12/13	12/24/12	(4,162.80)	50		
	09/17/12	11,470	12/10/12	3,024	0.65	\$1,965.60		5930	02/12/13	12/31/12	(2,197.20)	43		
	09/25/12	8,465	12/12/12	3,024	0.65	\$1,965.60		5930	02/12/13	12/31/12	(231.60)	43		
		31,660	12/17/12	3,024	0.65	\$1,965.60	\$5,000.00	5955	03/25/13	01/07/13	(3,266.00)	77		
			12/19/12	3,024	0.65	\$1,965.60		5955	03/25/13	01/07/13	(1,300.40)	77		
			12/26/12	3,584	0.65	\$2,329.60	\$8,846.10	5980	04/17/13	01/14/13	(7,816.90)	93		
			01/02/13	4,032	0.65	\$2,620.80		5980	04/17/13	01/21/13	(5,196.10)	86		
			01/06/13	3,528	0.65	\$2,293.20		5980	04/17/13	01/28/13	(2,902.90)	79		
			01/09/13	3,528	0.65	\$2,293.20		5980	04/17/13	01/28/13	(609.70)	79		
			01/13/13	938	0.65	\$609.70		5980	04/17/13	02/04/13	0.00	72		
			28,994		\$18,846.10	\$18,846.10							A-3	
Robert Kerstetter	01/03/13	12,000	04/07/13	836	0.70	\$585.20	\$5,000.00	6023	06/04/13	04/29/13	(4,414.80)	36		
	01/10/13	12,150	04/10/13	3,528	0.70	\$2,469.60		6023	06/04/13	04/29/13	(1,945.20)	36		
	01/24/13	8,550	04/14/13	2,240	0.70	\$1,568.00		6023	06/04/13	05/06/13	(377.20)	29		
		32,700	04/17/13	2,240	0.70	\$1,568.00	\$14,979.40	6033	06/21/13	05/06/13	(13,788.60)	46		
			04/21/13	3,528	0.70	\$2,469.60		6033	06/21/13	05/13/13	(11,319.00)	39		
			04/24/13	1,400	0.70	\$980.00		6033	06/21/13	05/13/13	(10,339.00)	39		
			04/28/13	2,800	0.70	\$1,960.00		6033	06/21/13	05/20/13	(8,379.00)	32		
			05/01/13	2,800	0.70	\$1,960.00		6033	06/21/13	05/20/13	(6,419.00)	32		
			05/05/13	3,290	0.70	\$2,303.00		6033	06/21/13	05/27/13	(4,116.00)	25		
			05/08/13	2,800	0.70	\$1,960.00		6033	06/21/13	05/27/13	(2,156.00)	25		
		05/12/13	3,080	0.70	\$2,156.00		6033	06/21/13	06/03/13	0.00	18			
			28,542		\$19,979.40	\$19,979.40							A-4	
Mark Hoffman	12/06/12	12,160	03/10/13	938	0.70	\$656.60	\$5,000.00	6024	06/04/13	04/01/13	(4,343.40)	70		
	12/13/12	12,275	03/13/13	3,528	0.70	\$2,469.60		6024	06/04/13	04/01/13	(1,873.80)	70		
		24,435	03/17/13	3,528	0.70	\$2,469.60	\$10,248.80	6032	06/21/13	04/08/13	(9,653.00)	80		
			03/20/13	3,528	0.70	\$2,469.60		6032	06/21/13	04/08/13	(7,183.40)	80		
			03/25/13	3,542	0.70	\$2,479.40		6032	06/21/13	04/15/13	(4,704.00)	73		
			03/27/13	4,536	0.70	\$3,175.20		6032	06/21/13	04/15/13	(1,528.80)	73		
			03/31/13	2,184	0.70	\$1,528.80		6032	06/21/13	04/15/13	(0.00)	73		
				21,784		\$15,248.80	\$15,248.80							A-5
Leroy Fisher	01/03/13	6,650	03/31/13	1,344	0.70	\$940.80	\$4,403.00	6026	06/04/13	04/22/13	(3,462.20)	43		
			04/03/13	2,240	0.70	\$1,568.00		6026	06/04/13	04/22/13	(1,894.20)	43		
			04/07/13	2,706	0.70	\$1,894.20		6026	06/04/13	04/29/13	0.00	36		
				6,290		\$4,403.00	\$4,403.00						A-6	
			113,974		\$77,225.40	\$77,225.40								