

UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE

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In re:

Randall Bond,

Respondent

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P & S Docket No. D-

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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) Randall Bond, hereinafter referred to as "Respondent," is an individual whose mailing address is 811 Silas, Sweetwater, Texas, 79556.

(b) At all times material herein, Respondent was:

(1) A dealer, engaged in the business of buying in commerce livestock, either on his own account or as the employee or agent of the vendor or purchaser; or

(2) A market agency, engaged in the business of buying in commerce livestock on a commission basis; 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 either a dealer or a market agency within the jurisdiction of the Secretary.

II.

Respondent was notified by certified letter, on December 21, 2004, that the Packers and Stockyards Program had information indicating Respondent may have been engaging in livestock operations covered by the Act without being registered with the Secretary. 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 Respondent of his 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.

On May 4, 2005 and again on May 16, 2005, a Packers and Stockyards Program representative spoke with Respondent and instructed him to submit the required registration and bonding information and to refrain from engaging in activities subject to the Act until the registration and bonding requirements had been met. Notwithstanding such notice, Respondent continued to engage in the business of buying livestock in commerce, either on his own account or as the employee or agent of the vendor or purchaser; or engaged in the business of buying livestock in commerce on a commission basis, 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 livestock in commerce, either on his own account or as the employee or agent of the vendor or purchaser; or engaged in the business of buying livestock in commerce on a commission basis without being registered with the Secretary and without maintaining an adequate bond or bond equivalent. The Respondent purchased the livestock from four posted stockyards in Texas: Sweetwater Cattle Auction, Sweetwater, TX; Haskell Livestock Auction, Haskell, TX;

Abilene Auction Inc., Abilene, TX; Producers Livestock Auction Co., San Angelo, TX. The dates of the livestock transactions and the number of livestock involved are as follows:

Summary of Livestock Transactions

| <u>Date of Purchase</u> | <u>Location of Purchase</u> | <u>Number of Head Purchased</u> |
|-------------------------|--|---------------------------------|
| 15-Sep-05 | Producers Livestock Auction Co, San Angelo, TX | 26 |
| 5-Oct-05 | Sweetwater Cattle Auction, Sweetwater, TX | 35 |
| 18-Oct-05 | Abilene Auction Inc, Abilene, TX | 31 |
| 25-Oct-05 | Abilene Auction Inc, Abilene, TX | 46 |
| 26-Oct-05 | Sweetwater Cattle Auction, Sweetwater, TX | 9 |
| 1-Nov-05 | Abilene Auction Inc, Abilene, TX | 27 |
| 2-Nov-05 | Sweetwater Cattle Auction, Sweetwater, TX | 10 |
| 8-Nov-05 | Abilene Auction Inc, Abilene, TX | 21 |
| 15-Nov-05 | Abilene Auction Inc, Abilene, TX | 48 |
| 17-Nov-05 | Producers Livestock Auction Co, San Angelo, TX | 83 |
| 22-Nov-05 | Abilene Auction Inc, Abilene, TX | 41 |
| 29-Nov-05 | Abilene Auction Inc, Abilene, TX | 29 |
| 30-Nov-05 | Sweetwater Cattle Auction, Sweetwater, TX | 41 |
| 6-Dec-05 | Abilene Auction Inc, Abilene, TX | 28 |
| 7-Dec-05 | Sweetwater Cattle Auction, Sweetwater, TX | 12 |
| 8-Dec-05 | Producers Livestock Auction Co, San Angelo, TX | 24 |
| 13-Dec-05 | Abilene Auction Inc, Abilene, TX | 45 |
| 14-Dec-05 | Sweetwater Cattle Auction, Sweetwater, TX | 16 |
| 5-Jan-06 | Producers Livestock Auction Co, San Angelo, TX | 28 |
| 7-Jan-06 | Haskell Livestock Auction, Haskell, TX | 10 |
| 11-Jan-06 | Sweetwater Cattle Auction, Sweetwater, TX | 29 |
| 13-Jan-06 | Producers Livestock Auction Co, San Angelo, TX | 37 |
| 17-Jan-06 | Abilene Auction Inc, Abilene, TX | 34 |
| 18-Jan-06 | Sweetwater Cattle Auction, Sweetwater, TX | 22 |
| 19-Jan-06 | Producers Livestock Auction Co, San Angelo, TX | 26 |
| 21-Jan-06 | Haskell Livestock Auction, Haskell, TX | 18 |
| 24-Jan-06 | Abilene Auction Inc, Abilene, TX | 44 |
| 4-Feb-06 | Haskell Livestock Auction, Haskell, TX | 76 |

IV.

By reason of the facts alleged in paragraphs II and III, Respondent has engaged in operations subject to the Act without registering with the Secretary or maintaining an adequate bond and has 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).

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

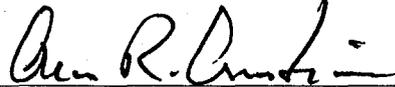
Regulations. Respondent shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, United States Department of Agriculture, Washington D.C. 20250, in accordance with the Rules of Practice Governing Proceedings Under the Act (7 C.F.R. § 1.130 et seq.; "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:

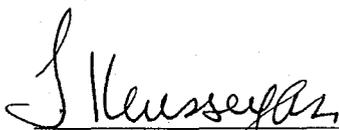
1. That unless Respondent fails to file an answer within the time allowed, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice; and
2. That such order or orders be issued, including an order requiring Respondent to cease and desist from the violations of the Act found to exist, requiring that Respondent not engage in operations subject to the Act unless or until he is both registered and bonded as required by 7 U.S.C. § 204 and 7 U.S.C. § 208 of the Act and assessing such civil penalty, as authorized by the Act and warranted in the premises.

Done at Washington, D.C.

this 30 day of March, 2007



Alan R. Christian
Deputy Administrator,
Packers and Stockyards Program



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