

1810-20

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Ruben S. Saavedra, Jr.,

Respondent

P&S Docket No D-10-0034

Decision by Reason of Consent

This proceeding was instituted under the Packers and Stockyards Act, as amended and supplemented (7 U.S.C. § 181 *et seq.*) (Act), by a Complaint filed November 13, 2009, by the Deputy Administrator, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that the Respondent willfully violated the Act and regulations promulgated thereunder (9 C.F.R. § 201.1 *et seq.*). This decision is entered pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary Under Various Statutes applicable to this proceeding (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in paragraph I of the Complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

Complainant agrees to the entry of this decision.

Findings of Fact

1. Ruben S. Saavedra, Jr., hereinafter referred to as "Respondent," is an individual whose business and mailing address is 85 Jarales Road, Jarales, New Mexico 87023.
2. At all times material to this Decision, Respondent was operating as a dealer and

engaged in the business of buying livestock in commerce on a commission basis.

3. At all times material to this Decision, Respondent operated as a dealer or a market agency within the jurisdiction of the Secretary.

4. As of March 1, 2010, Respondent is named as a clearee in a bond filed and maintained by Efred Saavedra.

Conclusions

Respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, the decision will be entered.

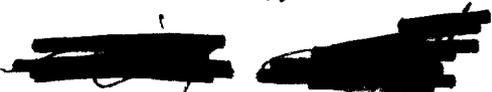
Respondent, his agents and employees, directly or through any corporate or other device, in connection with his activities subject to the Act, shall cease and desist from engaging in operations subject to the Act without registering with the Secretary or maintaining an adequate bond as required by section 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).

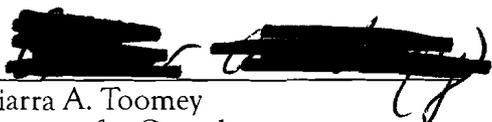
In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondent is assessed a civil penalty in the amount of five thousand dollars (\$5,000).

The provisions of this order shall become final and effective on issuance.

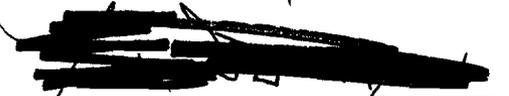
Copies of this decision shall be served upon the parties.

  
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Ruben S. Saavedra, Jr.

  
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Michael Alarid, Jr.  
Attorney for Respondent

  
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Ciarra A. Toomey  
Attorney for Complainant

Done at Washington, D.C.  
this 5<sup>th</sup> day of May, 2010

  
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PETER M. DAVENPORT  
Administrative Law Judge