

**UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE**

Docket No. 10-0237

In re: First World Management Services, Inc.,
d/b/a Bios Zabeeha Halal Foods
and Tahawwur H. Rana,

Respondents.

**ORDER ENTERING CONSENT DECISION;
AND ADMITTING EXHIBITS TO THE RECORD**

The instant proceeding involves a complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture (USDA), against First World Management Services, Inc., d/b/a Bios Zabeeha Halal Foods and Tahawwur H. Rana (Respondents). The complaint alleged violations of the Packers and Stockyards Act, 7 U.S.C. § 181 et seq., and the regulations promulgated thereunder, found at 9 C.F.R. § 201.1 et seq.

Procedural Statement

On March 8, 2012, I held a limited hearing in this matter by Audio-visual connection between the hearing room at USDA's Office of Administrative Law Judges (OALJ) and a remote site in Chicago, Illinois. In addition to me, present in the room were a court reporter from Neal Gross and Associates; counsel for Complainant, Christopher Young-Morales, Esq.; USDA's representative Amy Blechinger; and my Assistant, Marilyn Kennedy. Present at the remote site was Tahawwur H. Rana, who represented himself and the corporate Respondent.

The parties agreed to enter into a Decision by Reason of Consent (Consent Decision). However, as a precaution in the event that the terms of the Consent Decision are not met, I advised the parties that I would enter a Decision on the record. I admitted to the record

Complainant's exhibits designated as CX-1 through CX-61. I admitted to the record Respondent's Exhibits designated as RX-1 through RX-35. I held the record open for the receipt of an additional document that was transmitted to me by email on Respondent's behalf. This email constitutes Respondent's witness list and statements in defense of the complaint's allegations. I hereby identify the exhibit as RX-36, and admit it to the record. I also invited Respondent to place on the record any statements in defense of the charges, and Respondent declined. The record is hereby CLOSED except for the receipt of the transcript of the proceedings of March 8, 2012.

Consent Decision

Respondent Tahawwur H. Rana testified under oath that he would be bound by the terms of the Consent Decision as drafted by Complainant's counsel and provided to him. Respondent Tahawwur H. Rana signed his copy of the Consent Decision in my presence.

Counsel for Complainant averred that the contents of this agreement constitutes Complainant's understanding of the Agreement between the parties.

The instant Order shall operate as an executed Consent Order in the event together with any document signed by Mr. Rana and filed with the Hearing Clerk for OALJ.

A. General Terms.

1. USDA withdraws any and all allegations against Tahawwur Rana as an individual.
2. Respondent admits the jurisdictional allegations in paragraph 1 of the Complaint and specifically admits that the Secretary has jurisdiction in this matter.
3. Respondent waives oral hearing and consents and agrees for the purpose of settling this matter to the entry of a Consent Decision.

B. Findings of Fact

1. First World Management Services, Inc., d/b/a Bios Zabeeha Halal Foods (First World) is or was a corporation organized and existing under the laws of the State of Illinois. Its business address is or was 2809 West Devon Ave., Chicago, IL 60659. The First World's physical business address is or was 6260 Kinsman Road, Kinsman, IL 60437.
2. Respondent First World is, and at all times material herein, was
 - (a) Engaged in the business of buying livestock in commerce for the purposes of slaughter;
 - (b) Engaged in the business of manufacturing or preparing meat and meat food products for sale or shipment in commerce; and
 - (c) A packer within the meaning of and subject to the provisions of the Act.

ORDER

Respondent First World, its agents and employees, directly or through any corporate or other device, in connection with their activities subject to the Packers and Stockyards Act, shall cease and desist from failing to pay when due and failing to pay for livestock.

Pursuant to section 203 of the Act (7 U.S.C. §193), Respondent First World is assessed a civil penalty in the amount of \$2,500.00.

Respondent First World shall pay the penalty of \$2,500.00 by check made payable to the USDA, United States Treasury, which shall be remitted within fifteen (15) days from the date of this Decision and Order to:

USDA
GIPSA
P.O. Box 790335
St. Louis, MO 63179-0335

The provisions of this Consent Decision and Order are final and effective as of the date that it is issued by the Hearing Clerk for OALJ.

A copy of this Order shall be served upon the parties and their counsel by the Hearing Clerk.

So ORDERED this 8th day of March, 2012 at Washington, D.C.

A solid black rectangular box redacting the signature of the Administrative Law Judge.

Janice K. Bullard
Administrative Law Judge