UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:)   P & S Docket No. 12-0403
)
   Norberto Gonzalez, aka Tito Gonzalez,   )
   d/b/a TG Cattle   )
)
              Respondent   )   Consent Decision

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended

and supplemented (7 U.S.C. § 181 et seq.) (Act), by a Complaint filed by the Deputy

Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards

Administration (GIPSA), United States Department of Agriculture (Complainant), alleging that

Respondent Norberto Gonzalez, aka Tito Gonzalez, d/b/a TG Cattle (Respondent), willfully

violated the Act. This Consent Decision is entered pursuant to the consent decision provision of

the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary

Under Various Statues (7 C.F.R. § 1.138) (Rules of Practice).

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 Consent

Decision.

Complainant agrees to the entry of this Consent Decision.

<u>Findings of Fact</u>

1.   Respondent Norberto Gonzalez, aka Tito Gonzalez, d/b/a TG Cattle, is an

individual whose mailing address is PO Box 313, Falfurrias, Texas 78355.

2.   At all times material to the Complaint, Respondent was:

(a)   Engaged in the business of a dealer buying and selling livestock in

commerce for his own account; and

(b)   Registered with the Secretary of Agriculture as a dealer to buy and sell

livestock in commerce for his own account.

Conclusion

Respondent having admitted the jurisdictional facts, and the parties having agreed to the

entry of this Consent Decision, the Consent Decision will be entered.

Order

Respondent Norberto Gonzalez, aka Tito Gonzalez, d/b/a TG Cattle, his agents and

employees, directly or through any corporate or other device, in connection with his operations

subject to the Act, shall cease and desist from:

1.   Failing to pay, when due, the full purchase price of livestock; and

2.   Failing to pay the full purchase price for livestock purchases.

Respondent shall keep and maintain accounts, records, and memoranda, which fully and

correctly disclose the true nature of all transactions involved in his business subject to the Act as

required by section 401 of the Act (7 U.S.C. § 221), including, but not limited to, all purchase

and sale invoices and documents permitting the tracing of livestock from purchase through sale.

Pursuant to 7 U.S.C. § 204, Respondent is hereby suspended as a registrant under the Act

for a period of three (3) years and seven (7) months. Provided, however, that after the expiration

of the first 90 days of the suspension period, upon application to the Packers and Stockyards

Program and upon Respondent's demonstration to the satisfaction of the Packers and Stockyards

Program that Beeville Livestock Commission, Inc. has been paid in full the $12,562.28 that

Respondent still owes, a supplemental order may be issued terminating the suspension. Provided

further that this Order may be modified upon application to Packers and Stockyards Program to permit Respondent's salaried employment by another registrant or a packer after the expiration of the first 90 days of the suspension period upon demonstration of circumstances warranting modification of the Order.

This Order shall have the same force and effect as if entered after full hearing. The provisions of this Order shall become effective upon issuance.

Copies of this decision and Order shall be served upon the parties.

Issued in Washington, D.C.

this __6th__ day of ___July___, 2012

_____
Administrative Law Judge

_____
Norberto Gonzalez, aka Tito Gonzalez,
d/b/a TG Cattle
Respondent

_____
Leah C. Battaglioli
Attorney for Complainant

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