

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) P&S Docket No. 13-0156
)
Randy R. Wientjes)
d/b/a Brookport Cattle Company)
)
Respondent) Consent Decision and Order

This disciplinary proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.), by a Complaint filed by the Acting Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture (Complainant), alleging that respondent herein willfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 et seq.). This decision is entered pursuant to the consent decision provision of the rules of practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent Randy R. Wientjes, doing business as Brookport Cattle Company, 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.

The complainant agrees to the entry of this decision.

Findings of Fact

(a) Respondent Randy R. Wientjes is an individual who does or has done business as Brookport Cattle Company, and who has a mailing address of 3042 Lakeview Drive, Metropolis, IL, 62960.

(b) Respondent at all times material herein was:

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

(2) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce.

Conclusions

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

Order


Respondent Randy R. Wientjes, doing business as Brookport Cattle Company, 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 failing to pay and failing to pay, when due, the full purchase price of livestock as required by


section 409 of the Act (7 U.S.C. § 228b) and section 201.43 of the regulations (9 C.F.R. § 201.43).

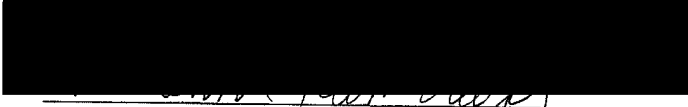
Respondent Randy R. Wientjes, doing business as Brookport Cattle Company, is suspended as a registrant under the Act for a period of ten (10) years beginning on the effective date of this Order. Pursuant to section 303 of the Act (7 U.S.C. § 203), respondent is prohibited from engaging in any business subject to the Act without being registered with the Packers and Stockyards Program, GIPSA, USDA.

This Order shall have the same force and effect as if entered after full hearing. The provisions of this Order shall become final and effective on the sixth day after service of this consent decision and Order on the respondent.

Copies of this decision shall be served upon the parties.



Randy R. Wientjes,
doing business as Brookport Cattle Company
Respondent


DESAI EGGMANN MASON LLC
By: Robert E. Eggmann
Attorneys for Respondent


Krishna G. Ramaraju
Attorney for Complainant

Done at Washington, D.C.

this 14th day of February, 2013


Administrative Law Judge