

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) P&S Docket No. D-13-0225
)
)
Wayne F. Craig & Sons, Inc.)
)
)
Respondent) Decision Without Hearing by Reason of
) Consent

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, alleging that the Respondent willfully violated the Act and the regulations promulgated thereunder (9 C.F.R. § 201.1 et seq.) (Regulations). 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 Statutes (7 C.F.R. § 1.138) (Rules of Practice).

The 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.

Findings of Fact

(a) Wayne F. Craig & Sons, Inc., referred to herein as the respondent, is a corporation with an address of 2833 Orrstown Road, Shippensburg, Pennsylvania 17257.

(b) The respondent at all times material herein was:

(1) Engaged in the business of a market agency buying and selling livestock on a commission basis in commerce;

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

(3) Registered with the Secretary of Agriculture as a market agency to buy and sell livestock on a commission basis in commerce, and registered as a dealer to buy and sell livestock in commerce.

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, 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 for livestock within the time period set forth in section 409 of the Act.(7 U.S.C. § 228b).

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 hundred dollars (\$500.00).

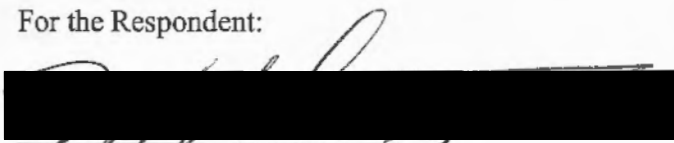
This Order shall have the same force and effect as if entered after a full hearing. The provisions of this Order shall become effective on the sixth day after service of this order on the Respondents.


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

Done at Washington, D.C.


this 15th day of July, 2013


For the Respondent:


Wayne F. Craig, Jr.
For Respondent Wayne F. Craig & Sons, Inc.


Ernest van Hooser
Attorney for Respondent Wayne F. Craig & Sons, Inc.

For the Complainant:


Carynne S. Cockrum
Attorney for Complainant


Administrative Law Judge
for Jill S. Clifton
US Administrative
Law Judge