

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) P&S Docket No. D-13-0267
)
)
Carlisle Livestock Market, Inc.)
)
) Decision Without Hearing by Reason of
Respondent) 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) Carlisle Livestock Market, Inc., ("Respondent") is a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, whose business mailing address is P.O. Box 1045, Carlisle, PA 17013.
- (b) Respondent, at all times material herein, was:
 - (1) Engaged in the business of buying and selling livestock in commerce for its own account as a market agency; and
 - (2) Registered with the Secretary of Agriculture as a market agency selling livestock on commission.

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, in connection with its operations subject to the Act, shall cease and desist from operating a scale without a printing device or otherwise violating Section 212(a) (7 U.S.C. § 213) of the Act or Section 201.71 (9 C.F.R. § 201.71) of the regulations.

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 Respondent.


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

Done at Washington, D.C.


this 23 day of JANUARY, 2014


For the Respondent:


James DeGaetano
For Respondent Carlisle Livestock Market, Inc.


Gerard D. Eftink
Attorney for Respondent Carlisle Livestock Market, Inc.

For the Complainant:


Carlyne S. Cockrum
Attorney for Complainant


Administrative Law Judge

Jill S. Clifton