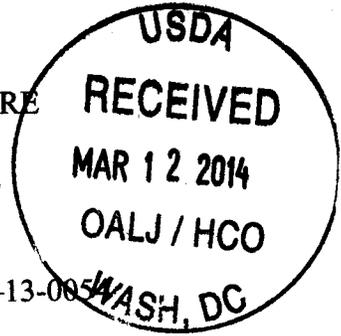


UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:)
)
)
Staunton Fruit and Produce Co., Inc.,)
)
)
Respondent)

PACA Docket No. D-13-005

Consent Decision and Order

This is a disciplinary proceeding under the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. § 499a et seq.) (PACA). The Complaint filed herein, on October 25, 2013, alleged that Respondent had committed willful, flagrant and repeated violations of section 2(4) of the PACA by failing to make full payment promptly to 32 sellers of the agreed purchase prices in the total amount of \$1,109,784.85 for 256 lots of perishable agricultural commodities, which Respondent purchased, received, and accepted in the course of interstate and foreign commerce, during the period of May 2011 through June 2012. The Complaint sought the issuance of an order finding that Respondent had committed willful, flagrant and repeated violations of section 2(4) of the PACA, and revocation of Respondent's PACA license pursuant to section 8(a) of the PACA (7 U.S.C. § 499h(a)).

The Complaint was served upon Respondent, Respondent agrees that the Secretary has jurisdiction in this matter, and the parties have now agreed to the entry of a Consent Decision and Order as set forth herein. Therefore, this Consent Decision and Order is entered without further procedure or hearing pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes

(7 C.F.R. § 1.130 et seq.)(Rules of Practice) applicable to this proceeding (7 C.F.R. §1.138).

Findings of Fact

1. Respondent is or was a corporation organized and existing under the laws of the state of Virginia. Respondent's business and mailing address is or was 945 Lee Highway, Verona, VA 24482, and its mailing address is P.O. Box 977, Verona, VA 24482.
2. At all times material herein, Respondent was licensed under the provisions of the PACA. Pursuant to the licensing provisions of the PACA, license number 19203867 was issued to Respondent on March 12, 1964. This license is subject to renewal in March of 2014.
3. During the period May 2011 through June 2012, Respondent purchased, received, and accepted, in interstate and foreign commerce, from 32 sellers, 256 lots of perishable agricultural commodities, and failed to make full payment promptly of the agreed purchase prices, in the total amount of \$1,109,784.85.

Conclusions

Respondent's failure to make full payment promptly to 32 sellers of the agreed purchase prices of the perishable agricultural commodities described in Finding of Fact paragraph 3 above constitutes willful, flagrant, and repeated violations of section 2(4) of the PACA (7 U.S.C. § 499b(4)).

Order

A finding is issued that Respondent has engaged in willful, flagrant, and repeated violations of the PACA, and Respondent's PACA license shall be revoked pursuant to section 8(a) of the PACA (7 U.S.C. § 499h(a)).

Respondent waives all further proceedings in this matter.

This Order shall become final and effective upon issuance.

Copies hereof shall be served upon parties.

[Redacted Signature]

Bruce W. Summers
Associate Deputy Administrator
Fruit and Vegetable Program
Agricultural Marketing Service

3/11/14
Date signed

[Redacted Signature]

Christopher Young, Esq.
Attorney for Complainant

2-14-14
Date signed

President Stanton Fruit & Produce Inc

[Redacted Signature]

Representative of Respondent

March 5, 2014
Date Signed

Done at Washington, D.C.

this 12th day of March, 2014

[Redacted Signature]

Administrative Law Judge