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**UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE**

In re:

Daniel Baranzini, Carlos Plascencia, and  
Sonoran Cattle LLC,  
  
Respondents.

P&S Docket No. 21-J-0043  
P&S Docket No. 21-J-0044  
P&S Docket No. 21-J-0045  
  
Consent Decision and Order

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This proceeding was initiated under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181, *et seq.*) (the "Act"), by a Complaint filed on July 1, 2021, by the Deputy Administrator, Fair Trade Practices Program, Packers and Stockyards Division, Agricultural Marketing Service (AMS), United States Department of Agriculture (USDA), alleging that Respondent willfully violated the Act. This consent decision is entered pursuant to the consent decision provision of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondents Daniel Baranzini, Carlos Plascencia, and Sonoran Cattle LLC (a now dissolved company) admit the jurisdictional allegations in paragraph I of the Complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admits nor denies the

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1 remaining allegation, waives oral hearing and further procedure, waives all rights to seek judicial  
2 review and otherwise challenge or contest the validity of this decision, including waiving  
3 challenges to the Administrative Law Judge’s authority to enter this Decision and Order under the  
4 Administrative Procedure Act and the Constitution of the United States, and waives any action  
5 against the USDA under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees  
6 and other expenses incurred by Respondents in connection with this proceeding or any action  
7 against any USDA employee in their individual capacity, and consents and agrees, for the purpose  
8 of settling this proceeding and for such purpose only, to the entry of this consent decision.  
9

10 Complainant agrees to the entry of this consent decision.

11 Findings of Fact

12 1. Respondent Daniel Baranzini is an individual and 50% owner of Sonoran Cattle, LLC,  
13 whose current address is in (b) (6). His address is not included in this Complaint to  
14 protect Respondent’s privacy, but will be provided to the Hearing Clerk, USDA, to effect service.  
15

16 2. Respondent Carlos Plascencia is an individual and 50% owner of Sonoran Cattle, LLC,  
17 whose current address is in (b) (6). His address is not included in this Complaint to  
18 protect Respondent’s privacy, but will be provided to the Hearing Clerk to effect service.  
19

20 3. Respondent Sonoran Cattle LLC is an entity operating at 235 N. Freeport Dr. Suite 3,  
21 Nogales, Arizona.<sup>1</sup>

22 4. At all times material herein, Respondents were:  
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25 <sup>1</sup> Complainant recognizes that Sonoran Cattle LLC, an Arizona limited liability company, is now dissolved and no  
26 longer in operation but was in operation during the time period covered by the Complaint.

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- 1 (1) Engaged in the business of a dealer buying and selling livestock in commerce;  
2 (2) Engaged in the business of a market agency buying livestock on a commission basis;  
3 and,  
4 (3) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in  
5 commerce and as a market agency to buy livestock on a commission basis.  
6

7 5. Respondents failed to pay, when due, the full purchase price of livestock in 19 transactions  
8 totaling \$642,338.99. Payments ranged from three to 39 days late.

9 6. Respondents failed to pay the full purchase price of livestock in 42 transactions totaling  
10 \$2,656,703.45. At the time of the Complaint, Respondents did make payments of \$1,529,648.19,  
11 leaving an unpaid balance of \$1,127,055.26.

12 7. Since then, Respondents have made additional payments and currently have an unpaid  
13 balance of 286,076.44 (“Outstanding Balance”) and have executed promissory notes for that  
14 amount.  
15

16 Conclusions of Law

17 Respondents willfully violated section 312(a) of the Act (7 U.S.C. § 213(a)) and section  
18 409 of the Act (7 U.S.C. § 228b and 9 C.F.R. § 201.43). Respondents have admitted the  
19 jurisdictional facts and the parties have consented to the issuance of this Consent Decision and  
20 Order without further procedure. This Consent Decision and Order shall have the same force and  
21 effect as a decision issued after a hearing.  
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Order

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2 Respondents, their agents and employees, directly or through any corporate or other device,  
3 including any successor entities, in connection with their operations subject to the Act, shall cease  
4 and desist from failing to pay for the full purchase price of livestock and failing to pay, when due,  
5 the full purchase price of livestock (in other words, be in compliance with the Act if and when it  
6 engages in activities governed by the Act in the future).  
7

8 In accordance with 7 U.S.C. § 204, Respondents are suspended as registrants under the Act  
9 for a period of 3 years from the effective date of this Consent Decision and Order. The suspension  
10 shall begin five days after the entering of this Consent Decision and Order. During this suspension,  
11 Respondents are prohibited from operating in any capacity for which registration and bond is  
12 required under the Act. If, however, at any time during that 3-year suspension, Respondents  
13 demonstrate to the USDA full payment of the Outstanding Balance (\$286,076.44) owed to  
14 livestock sellers resulting from Respondents' failure to pay and failure to pay when due for  
15 livestock, as alleged in the Complaint, then this Order will be modified to terminate the suspension.  
16

17 In addition, and in accordance with 7 U.S.C. § 213(b), Respondents are assessed a civil  
18 penalty in the amount of sixty-two thousand five hundred dollars (\$62,500.00) (the "Civil  
19 Penalty"). If, however, Respondents have demonstrated (as discussed above) full payment of the  
20 Outstanding Balance within the 3-year suspension period (thus lifting the suspension), this order  
21 will be modified to reduce said civil penalty to ten thousand dollars (\$10,000) (the "Reduced Civil  
22 Penalty"), with the remaining \$52,500 of the Civil Penalty being forgiven. Five days after the  
23 entering of this Consent Decision and Order, Respondents agree to pay five thousand dollars  
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1 (\$5,000) toward the Reduced Civil Penalty in a lump sum. The remaining five thousand dollars  
2 (\$5,000) of the anticipated Reduced Civil Penalty will be paid in 12 monthly installments (\$416.67  
3 per month), with the first installment due on March 15, 2022. As for the method of payment of the  
4 Reduced Civil Penalty and Civil Penalty , payments may be made by certified check or money  
5 order made payable to the Treasurer of the United States and sent to USDA, AMS, FTTP, PSD,  
6 P.O. Box 0790304, St. Louis, MO 63197-9000. The certified check or money order shall include  
7 the docket number of this proceeding, Docket Nos. 21-J-0043, 21-J-0044, 21-J-0045. Payment  
8 may also be made through Pay.Gov, which can accommodate a payment plan and ACH bank  
9 transfers.  
10

11 In the event that Respondents are unable to demonstrate to the USDA that the Outstanding  
12 Balance has been paid in full during the 3-year suspension period or if Respondents violate the  
13 Act at anytime during the 3-year suspension period, then any outstanding balance of the Civil  
14 Penalty will become immediately due and payable.  
15

16 At the appropriate time before resuming operations, Respondents shall obtain a Bond in  
17 the amount of \$170,000.00, or such amount commensurate for Respondents' operations, and  
18 submit proof of the same to Complainant, pursuant to the Bond Termination Letter sent to  
19 Respondents on September 22, 2021 and received through Respondents' counsel. Respondents  
20 shall submit the Statements of Operations to Complainant once requisite bond coverage is  
21 obtained.  
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23 Respondents shall comply with all registration requirements under the Act, in connection  
24 with their future operations subject to the Act. This Consent Decision and Order shall become  
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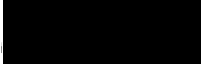
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1 effective and final upon issuance, as if entered after a full hearing. Copies of this Consent Decision  
2 and Order shall be served on the Respondents and Complainant.

3 AGREED TO BY:

4 DocuSigned by:  
5   
6 **Daniel Baranzini**

7 DocuSigned by:  
8   
9 **Carlos Plascencia**

**MARY ZOLDAK** Digitally signed by MARY  
ZOLDAK  
Date: 2022.02.22 11:25:58 -07'00'  

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**Mary Zoldak**  
Attorney for Complainant

10 **Sonoran Cattle LLC, an Arizona limited**  
11 **liability company**

12 By:   
13 **Daniel Baranzini, Managing Member**

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1 Done at Washington, D.C.  
2 This 22nd day of February 2022

3 **CHANNING STROTHER** Digitally signed by CHANNING  
STROTHER  
Date: 2022.02.22 14:38:09 -05'00'

4 Channing D. Strother, Chief Administrative Law Judge

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