

REC

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

USDA
02/17/00

In re:)	AMAA Docket NO. 04-0004	7001 DEC -7 A 9:16
)		
Nathan Jones, d/b/a)		
King Crown Organic Farm,)		RECEIVED
)		
Respondent)	Decision and Order	

This proceeding was instituted under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. §601 et seq.) ("the Act"), by a complaint filed by the Administrator, Agricultural Marketing Service, United States Department of Agriculture, alleging that the respondent willfully violated the marketing order regulating the handling of Onions Grown in Certain Designated Counties in Idaho, and Malheur County, Oregon, 7 C.F.R. §958 et seq. (the "Order"). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. §1.138)).

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 decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Nathan Jones is an individual, doing business as King Crown Organic Farm, whose principal place of business is 2240 East Maple Drive, King Hill, Idaho 83633.

2. At all times material hereto, the respondent was engaged in business as a handler of onions grown in certain designated counties in Idaho, and was subject to the Act, Order, and Regulations.

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

1. Respondent agrees to comply with each and every requirement of the order.

2. Respondent is assessed a civil penalty of \$4,000.00, which shall be paid by a certified check or money order made payable to the **Treasurer of the United States**.

Complainant agrees that this decision and order represent the final resolution of the allegations contained in the complaint, and that it shall not seek any further remedy with respect to such allegations through any other provision of the Act.

The provisions of this order shall become effective on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

Nathan Jones
Respondent

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

Michael G. Brady
Attorney for Respondent

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 3rd day of December, 2004

~~_____~~
~~_____~~
~~_____~~

Administrative Law Judge