

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)		
)		
JJJ Ranch, Inc.)	P & S Docket No.	D-17-0218
)		
and)		
)		
Cesar P. Borges Arroyo)	P & S Docket No.	D-17-0219
)		
)		
Respondents)	CONSENT DECISION	

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 *et seq.*) (Act), by a Complaint filed on February 8, 2017, by the Acting Deputy Administrator, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that the Respondents willfully violated the Act and regulations promulgated thereunder (9 C.F.R. § 201.1 *et seq.*)(Regulations). This decision is entered pursuant to the consent decision provision of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary Under Various Statutes applicable to this proceeding (7 C.F.R. § 1.138) (Rules of Practice).

Respondents admit the jurisdictional allegations in paragraph I of the Complaint and specifically admit that the Secretary has jurisdiction in this matter, admit the remaining allegations, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

Complainant agrees to the entry of this decision.

Findings of Fact

1. JJJ Ranch, Inc. (corporate respondent) is a corporation organized and existing under the laws of the Commonwealth of Puerto Rico. Corporate respondent's business address is Barrio Hucares, Carr. 192 Km 0.1, Macelo Naguabo, PR 00718. Its mailing address and address of its registered agent, César P. Borges Arroyo, is Carr. 192 Sector Hucare- P.O. Box 1039, Naguabo, PR 00718-1039.
2. César P. Borges Arroyo (individual respondent) is an individual whose mailing address is 
3. Corporate respondent, under the direction, management, and control of individual respondent, at all times material herein was:
 - a) Engaged in the business of buying livestock in commerce for the purposes of slaughter and of manufacturing and preparing meats or meat food products for sale or shipment in commerce; and
 - b) A packer within the meaning of and subject to the provisions of the Act.
4. Individual Respondent, at all times material herein was:
 - a) President of corporate respondent;
 - b) Registered agent for corporate respondent; and
 - c) Responsible for the direction, management, and control of corporate respondent.

Conclusion

Respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, the decision will be entered.

Order

Respondent JJJ Ranch Inc., and Respondent Cesar P. Borges Arroyo, and their agents and employees, directly or through any corporate or other device, in connection with their activities subject to the Act, shall cease and desist from:

1. Failing to pay the full amount of the purchase price for livestock within the time period required by the Act and the regulations promulgated under it.

In accordance with section 203(b) of the Act (7 U.S.C. § 193(b)), Respondents are assessed, jointly and severally, a civil penalty in the amount of Eight Thousand Dollars (\$8,000.00), which shall be paid by a certified check or money order made payable to the Treasurer of the United States and shall be sent to Ciarra A. Toomey, Attorney, Office of the General Counsel, U.S. Department of Agriculture, Room 2331-B, South Building, 14th and Independence Avenue, SW., Washington, D.C. 20250. The certified check or money order should include the docket numbers of this proceeding, P&S Docket No. 17-0218 and 17-0219.

This Order shall have the same force and effect as if entered after full hearing. The provisions of this order shall become final and effective on issuance.

Copies of this decision shall be served upon the parties.

Issued in Washington D.C.
this 30th day of May, 2017


ADMINISTRATIVE LAW JUDGE *CAJ*

JJJ, Inc., Respondent

By: _____

Title: _____

President

Antonio Marrero Martinez
Attorney for Respondents

Cesar P. Borges Arroyo
Respondent

Ciarra A. Toomey
Attorney for Complainant

for