

REC'D - USDA/DALJ/DHC
2019 SEP 9 PM4:24

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	P&S Docket No. D-19-J-0123
)	
)	
Keith Jensen)	
d/b/a Keith Jensen Livestock)	
)	
Respondent)	Consent Decision and Order

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. §§ 181 et seq.), by a complaint filed by the Deputy Administrator, Packers and Stockyards Program, Agriculture Marketing Service (AMS), United States Department of Agriculture, alleging that respondent Keith Jensen, d/b/a Keith Jensen Livestock (hereinafter, Respondent), willfully violated the Act and related regulations (9 C.F.R. 201.1-200). This decision is entered pursuant to the consent decision provision of the rules of practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, admits 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 is an individual with a mailing address of record which will not be repeated here.

1

2. Respondent was, at all times material herein:

- (a) Engaged in the business of a market agency buying livestock on a commission basis;
- (b) Engaged in the business of a dealer buying and selling livestock in commerce; and
- (c) Registered with the Secretary of Agriculture as a market agency to buy livestock on a commission basis in commerce, and registered as a dealer to buy and sell livestock in commerce.

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

Respondent, his agents and employees, directly or indirectly through any corporate or other device, shall cease and desist from failing to pay livestock dealers or their duly authorized representatives the full amount of the purchase price for livestock before the close of the next business day following each purchase of livestock, as required by sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a) and 228b). To the extent Respondent mails payments, payments are to be postmarked on the day after the scheduled date of the sale.

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 twenty thousand dollars (\$20,000.00). Respondent shall send a certified check or money order for twenty thousand hundred dollars (\$20,000.00), payable to the U.S. Department of Agriculture, to:

**USDA-AMS-FTPP-PSD,
PO Box 979064,
St. Louis, Missouri 63197-9000**

within thirty (30) days from the effective date of this order as determined by the issuing Administrative Law Judge. Respondent shall indicate on the certified check or money order that payment is in reference to P&S Docket No. D-19-J-0123.

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

Copies of this decision shall be served upon the parties.

[Redacted]
Kevin Jensen d/b/a Keith Jensen Livestock
Respondent

[Redacted]
Mary E. Sajna
Attorney for Complainant

Done at Washington, D.C.
this 9th day of September 2019

[Redacted]
Chief Administrative Law Judge
Channing D. Strother