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UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	P & S Docket No. D-07-0079
	)	
United Producers, Inc.,	)	
	)	
Respondent	)	Consent Decision

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 *et seq.*), hereinafter the "Act," by a Complaint filed by the Deputy Administrator, Packers and Stockyards Program, United States Department of Agriculture alleging that the Respondent willfully violated the Act. This Decision is entered 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. § 1.138).

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.

Complainant agrees to the entry of this Decision.

Findings of Fact

1. United Producers, Inc., hereinafter referred to as "Respondent United Producers" is a cooperative incorporated and existing under the laws of the State of Ohio.

Respondent United Producer's mailing address is 5909 Cleveland Ave., Cleveland, Ohio 43231.

2. Respondent United Producers is, and at all times material herein was:

- (a) Engaged in the business of buying and selling livestock in commerce on a commission basis;
- (b) Registered with the Secretary of Agriculture as a dealer buying and selling livestock in commerce for its own account or for the account of others; and
- (c) Registered with the Secretary of Agriculture as a market agency buying and selling livestock in commerce on a commission basis.

#### Conclusions

Respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this Decision, such Decision will be entered.

#### Order

Respondent United Producers, its agents and employees, directly or through any corporate or other device, shall cease and desist from creating false or misleading records in connection with Respondent's activities subject to the Packers and Stockyards Act. In accordance with section 401 of the Act (7 U.S.C. § 221), Respondent shall keep accounts, records and memoranda which fully and correctly disclose all of the transactions involved in its business as a livestock dealer and market agency, including, but not limited to, true and correct copies of invoices and supporting records pertaining to all cattle purchases, sales and financing arrangements.

In accordance with section 312(b) of the Act, (7 U.S.C. § 213(b)), Respondent United Producers is hereby assessed a civil penalty of ninety-six thousand dollars

(\$96,000). Respondent's payment shall be made out to "USDA-GIPSA" and sent to  
USDA-GIPSA, P.O. Box 790335, St. Louis, Missouri 63179-0335.

The provisions of this Order shall become effective on the sixth (6<sup>th</sup>) day after  
service on the Respondents.

Copies of this Decision and Order shall be served on the parties.

UNITED PRODUCERS, INC.  
Respondent,

By:

[Redacted signature]

[Redacted signature]

Title

[Redacted signature]

RANDALL D. LATOUR  
Attorney for Respondent

[Redacted signature]

CHARLES E. SPICKNALL  
Attorney for Complainant

Issued in Washington D.C.,

this 1st day of June, 2007

[Redacted signature]  
ADMINISTRATIVE LAW JUDGE