

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

USDA
OCHIC

77 13 13 11 4: 12

RECEIVED

In re:) PRPA Docket No. 08-0068
)
Parkinson Seed Farm, Inc.,)
)
Respondent) Consent Decision and Order
)

The Administrator of the Agricultural Marketing Service issued a complaint pursuant to the Potato Research and Promotion Act, 7 U.S.C. § 2611 et seq. (the "Act"), alleging that the respondent violated the Potato Research and Promotion Plan, 7 C.F.R. § 1207.301-1207.366 (the "Plan"), and the rules and regulations issued thereunder, 7 C.F.R. § 1207.500-1207.546 (the "Regulations") 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 as set forth herein 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 Parkinson Seed Farm, Inc. is an Idaho corporation with a mailing address of Post Office Box 326, St. Anthony, Idaho 83445.
2. At all times material herein, the respondent was a handler of potatoes as defined in the Act, 7 U.S.C. § 2612(d), and the Plan, 7 C.F.R. § 1207.308.

Conclusions

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

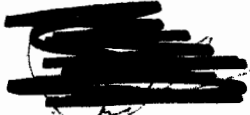
Order

Respondent agrees to comply with each and every requirement of the Plan, and in particular, respondent agrees to comply with the requirements with respect to paying assessments for potatoes handled.

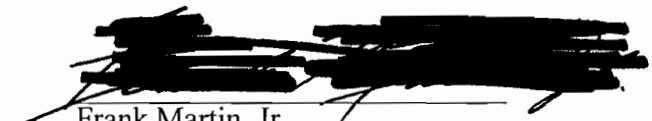
Complainant agrees that this decision and order represent the final resolution of the allegations contained in the complaint, and that it shall not seek any further remedy with respect to such allegations through any other provision of the Act.

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.




Parkinson Seed Farm, Inc.
by Dirk Parkinson, President
Respondent



Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 18th day of April, 2008


Administrative Law Judge