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UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) P. & S. Docket No. D-07-0123  
)  
)  
Meadowbrook Farms Cooperative, )  
)  
Respondent )  
) Consent Decision and Order

This is a disciplinary proceeding under the Packers and Stockyards Act (7 U.S.C. § 181 *et seq.*, hereinafter the "Act"). On June 1, 2007, a Complaint and Notice of Hearing ("Complaint") was issued against Meadowbrook Farms Cooperative ("Respondent") alleging that Respondent willfully violated sections 202(a) and 202(e) of the Act (7 U.S.C. §§ 192(a), 192(e)), by sending a letter to hog packers that misstated the terms of a temporary restraining order issued to Respondent's producer-members.

Complainant and Respondent have now agreed to entry of this decision, without hearing or further procedure, 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, to the entry of this decision.

Complainant agrees to the entry of this decision

Findings of Fact

1. Meadowbrook Farms Cooperative is an agricultural cooperative organized and operating in the State of Illinois with a mailing address of 10 South Jackson Street, Suite 400, Belleville, IL 62220.
2. Respondent at all times material to the Complaint was:
  - (a) Engaged in the business of buying livestock in commerce for the purpose of slaughter; and
  - (b) A packer within the meaning of and subject to the provisions of the Act for the purpose of this proceeding.

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 Meadowbrook Farms Cooperative, its agents and employees, directly or through any corporate or other device, in connection with Respondent's activities subject to the Packers and Stockyards Act, shall cease and desist from misrepresenting the terms affecting producer-members of any agreement, understanding, court order or other court issued document to buyers of the producer-members' hogs.


Respondent Meadowbrook Farms Cooperative is hereby assessed a civil penalty of twelve thousand five hundred dollars (\$12,500.00).

The provisions of this Order shall become final and effective upon its issuance.

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

Issued in Washington D.C.

this 6<sup>th</sup> day of Nov, 2008

  
Administrative Law Judge

Meadowbrook Farms Cooperative

  
By: \_\_\_\_\_

James L. Burke  
President & CEO

Title

  
\_\_\_\_\_

Don W. Weber  
Attorney for Respondent

  
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Gary F. Ball  
Attorney for Complainant