

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:)	P&S Docket Nos. D-20-J-0111
)	D-20-J-0112
Musa Slaughterhouse, LLC,)	
)	
and)	
)	
Musa S. Simreen,)	
)	
Respondents)	Consent Decision

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 *et seq.*) (the Act), by a Complaint and Notice of Hearing filed on April 7, 2020 by the Deputy Administrator, Fair Trade Practices Program (Packers and Stockyards Division), Agricultural Marketing Service, United States Department of Agriculture, alleging that Musa Slaughterhouse, LLC and Musa S. Simreen (Respondents) willfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*)(the regulations). 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).

Respondents admit the jurisdictional allegations in paragraph I of the Complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure; waive all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge’s authority to enter this Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waive any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C.

§ 504 *et seq.*) for fees and other expenses incurred by Respondents in connection with this proceeding or any action against any USDA employee in their individual capacity. The parties consent and agree, for the purpose of settling this proceeding and for such purpose only, to the entry of this Decision.

Findings of Fact

1. Musa Slaughterhouse, LLC (Respondent LLC) is a Florida Limited Liability Company, whose principal address is 6211 N. 56th Street, Tampa, FL 33610 and business mailing address is 65 Cresthill Road, Yonkers, New York 10710.

2. Respondent LLC is and, at all times material herein, was engaged in the business of buying livestock in commerce for purposes of slaughter; and

3. A packer within the meaning of and subject to the provisions of the Act.

4. Musa S. Simreen (Individual Respondent) is, and at all times material herein was:

(a) 100 percent owner of Respondent Musa Slaughterhouse, LLC;

(b) Registered Agent of Respondent Musa Slaughterhouse, LLC with a listed address of 6211 N. 56th Street, Tampa, FL 33610;

(c) A packer within the meaning of and subject to the provisions of the Act.

Conclusions

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

Order

Respondents, their agents and employees, directly or through any corporate or other device, in connection with operations subject to the Packers and Stockyards Act, shall cease and desist from:

1. Failing to pay, when due, the full purchase price of livestock;
2. Engaging in the business of being a packer buying livestock in commerce for purposes of slaughter without maintaining an adequate bond or bond equivalent and
3. Failing to keep such accounts, records and memoranda as to fully and correctly disclose all transactions involved in their business.

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondents are jointly and severally assessed a civil penalty in the amount of \$52,025.00. The civil penalty, however, will be reducible dollar-for-dollar by restitution made by Respondents to their unpaid livestock supplier, up to a total reduction of \$47,025.00, in accordance with an Understanding Regarding Civil Penalty Payment Terms agreed to and ratified by the parties.

If Respondents fail to satisfy the terms of the Understanding, the entire civil penalty, for which restitution has not been made, will become due in full immediately, upon application of Complainant to the Administrative Law Judge, without further procedure. If Respondents satisfy the terms of the Understanding, Complainant shall request that the Administrative Law Judge issue an order reducing the civil penalty dollar-for-dollar for restitution made.

The Administrative Law Judge shall retain jurisdiction in this matter for the purpose of assessing the appropriate civil penalty, upon application of the Complainant as described herein.

The provisions of this order shall become effective on the next business day after service of this order on the Respondent.

Copies of this decision shall be served upon the parties.

Musa S. Simreen
for Musa Slaughterhouse, LLC, Respondent

Date Signed: _____

Musa S. Simreen, Respondent

Date Signed: _____

Omar M. Jamal, Attorney for Respondents

Date Signed: _____

Chris Alder, Attorney for Respondents

Date Signed: _____

ADRIA GREENE Digitally signed by ADRIA GREENE
Date: 2021.02.04 11:43:36 -05'00'

Date Signed: February 4, 2021

Adria Greene, Attorney for Complainant

Issued this ____ day of _____

Tierney Carlos
Administrative Law Judge

The provisions of this order shall become effective on the next business day after service of this order on the Respondent.

Copies of this decision shall be served upon the parties.


Musa S. Simreen
for Musa Slaughterhouse, LLC, Respondent

Date Signed: February - 3 - 2021


Musa S. Simreen, Respondent

Date Signed: February - 3 - 2021


Omar M. Jamal, Attorney for Respondents

Date Signed: 2 / 3 / 21


Chris Alder, Attorney for Respondents

Date Signed: 03 FEB 2021

Adria Greene, Attorney for Complainant

Date Signed: _____

Issued this 5 day of February 2021



Tierney Carlos
Administrative Law Judge