



### Findings of Fact

1. Platinum Frozen Foods, Inc. (hereinafter **Respondent**) is a corporation organized and existing under the laws of the State of Illinois. Its business mailing address is 26 W 333 Street, Charles Road, Carol Stream, Illinois 60188-1944.
2. At all times material herein, Respondent was licensed under the PACA. License number 20011050 was issued to Respondent on May 8, 2001. This license terminated on May 8, 2003, when Respondent failed to submit the required renewal fee.
3. As more fully set forth in paragraph 3 of the complaint, Respondent, during the period November 2002 through November 2003, failed to make full payment promptly to five sellers of the agreed purchase prices in the total amount of \$607,836.33 for 39 lots of perishable agricultural commodities, which it purchased, received, and accepted in interstate and foreign commerce.

### Conclusions

Respondent's failure to make full payment promptly with respect to the transactions referred to in Finding of Fact 3 above constitutes willful, flagrant and repeated violations of section 2(4) of the PACA (7 U.S.C. § 499b(4)), for which the order below is issued.

### Order

Respondent, Platinum Frozen Foods, Inc., has committed willful, repeated and flagrant violations of section 2(4) of the Perishable Agricultural Commodities Act (7 U.S.C. § 499b(4)).

The facts and circumstances of Respondent's violations are hereby ordered published.

This order shall take effect on the 11th day after this Decision becomes final.

Pursuant to the Rules of Practice governing procedures under the PACA, this Decision will become final without further proceedings 35 days after service hereof unless appealed to the Secretary by a party to the proceeding within thirty days after service as provided in sections 1.139 and 1.145 of the Rules of Practice (7 C.F.R. §§ 1.139, 1.145).

Copies hereof shall be served upon the parties.

Done at Washington, D.C.

this 4<sup>th</sup> day of April, 2004

Marc R. Hillson  
Administrative Law Judge