

10  
11:15

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) P. & S. Docket No. D-09-0108  
)  
Robert W. Campbell, d/b/a )  
RWC Cattle Company )  
)  
Respondent ) Decision Without Hearing  
) By Reason of Consent

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 *et seq.*), by a Complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that the Respondent willfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*). This decision is entered pursuant to the consent decision provision of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted By the Secretary (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.

The Complainant agrees to the entry of this decision.

### Findings of Fact

1. Robert W. Campbell, hereinafter referred to as the Respondent, is an individual doing business as RWC Cattle Company, with a mailing address of P.O. Box 661, Mt. Vernon, Texas 75457-0661.

2. Respondent, at all times material herein, was:

(a) Engaged in the business of a market agency buying livestock in commerce on a commission basis;

(b) Engaged in the business of a dealer buying and selling livestock in commerce for his own account and the account of others; and

(c) Registered with the Secretary of Agriculture as a dealer buying and selling livestock in commerce and as a market agency buying 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 Robert W. Campbell, his agents and employes, directly or through any corporate or other device, in connection with operations subject to the Packers and Stockyards Act, shall cease and desist from:

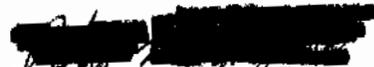
1. Failing to deliver true written accounts of purchases made on order; and
2. Buying livestock on commission and charging buyers for that livestock based on false weights.

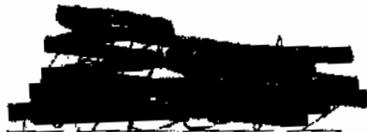
Respondent Robert W. Campbell, in connection with his operations as a market agency buying livestock on a commission basis and as a dealer buying and selling livestock in commerce for his own account, shall keep and maintain such accounts, records, and memoranda as fully and correctly disclose his transactions subject to the Act and the regulations, including load make up records that fully and correctly disclose the source, weight, and purchase price of livestock purchased and adjustments to the prices invoiced to buyers.

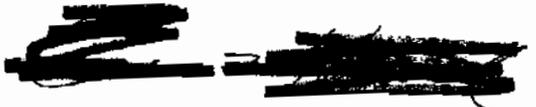
In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondent Robert W. Campbell is assessed a civil penalty in the amount of Twelve Thousand Dollars (\$12,000.00).

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

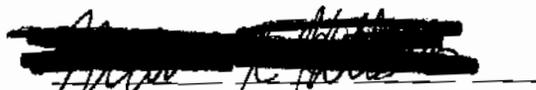
Copies of this decision shall be served upon the parties.

  
Robert W. Campbell

  
B. F. Hicks, Esq.  
Attorney for Respondent

  
Charles L. Kendall  
Attorney for Complainant

Issued this 30<sup>th</sup> day of June, 2009

  
Administrative Law Judge