

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) P&S Docket No. D-13-0226
)
Scott Deters d/b/a)
Scott Deters Livestock Co.)
)
)
Respondent) Decision Without Hearing by Reason of
Consent

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.) (Act), by a Complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture, alleging that the Respondent willfully violated the Act and the regulations promulgated thereunder (9 C.F.R. § 201.1 et seq.) (Regulations). This consent decision is entered pursuant to the consent decision provision of the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statues (7 C.F.R. § 1.138) (Rules of Practice).

The 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 consent decision.

Complainant agrees to the entry of this consent decision.

Findings of Fact

(a) Scott Deters, d/b/a Scott Deters Livestock Company, referred to herein as the respondent, is an individual whose home address is in the State of Kansas. In order to protect the personal

privacy of the respondent, his address is not included in this Complaint but has been provided to the Hearing Clerk for the purpose of effectuating service of process.

(b) The respondent at all times material herein was:

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

(2) Engaged in the business of a dealer buying and selling livestock in commerce;

(c) Registered with the Secretary of Agriculture as a market agency to buy and sell livestock on a commission basis in commerce, and registered as a dealer to buy and sell livestock in commerce.

Conclusion

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

Order

Respondent, directly or through any corporate or other device, in connection with his operations subject to the Act, shall cease and desist from failing to pay for livestock within the time period set forth in section 409 of the Act.(7 U.S.C. § 228b).

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), respondent is assessed a civil penalty in the amount of two thousand five hundred dollars (\$2,500.00).

This Order shall have the same force and effect as if entered after a full hearing. The provisions of this Order shall become effective on the sixth day after service of this order on the Respondents.

Copies of this decision and order shall be served upon the parties.

Done at Washington, D.C.

this 15th day of July, 2013

For the Respondent:



Scott Peters
Respondent

For the Complainant:



Attorney for Complainant



Administrative Law Judge

13-0226

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Scott Deters
d/b/a Scott Deters Livestock Co.
(The address is not printed to protect
personally identifiable information.)

See Reverse for Instructions