



UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)
) P&S Docket No. 14-0086
)
)
) Leo Heinrich d/b/a,
) Heinrich Cattle Co.,
)
) Respondent) Consent Decision and Order

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 (GIPSA), United States Department of Agriculture, alleging that respondent Leo Heinrich d/b/a Heinrich Cattle Co. willfully violated the Act and the regulations promulgated thereunder (9 C.F.R. §§ 201.1 et seq.). 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).

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 decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Leo Heinrich d/b/a Heinrich Cattle Co. is an individual with a business mailing address of 14310 83rd Street SW, Bowman, North Dakota 58623.

2. Respondent was, at all times material herein, engaged in the business of a dealer or market agency buying livestock in commerce on a commission basis.

Conclusions

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

Order

Respondent Leo Heinrich d/b/a Heinrich Cattle Co., his agents and employees, directly or indirectly through any corporate or other device, shall cease and desist from failing to pay, when due, the full purchase price of livestock as required by section 409 of the Act (7 U.S.C. § 228b) and section 201.43 of the regulations (9 C.F.R. § 201.43).

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), respondent is hereby assessed a civil penalty in the amount of five thousand dollars (\$5,000.00).

The provisions of this order shall become effective on the sixth day after service of this consent decision and order on the respondent.

Copies of this decision shall be served upon the parties.



Leo Heinrich d/b/a Heinrich Cattle Co.
Respondent



Steven J. Wild, Esq.
Attorney for Respondent



Thomas N. Bolick
Attorney for Complainant

Done at Washington, D.C.

this 19th day of June, 2014

A solid black rectangular box redacting the signature of the Administrative Law Judge.

Administrative Law Judge

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