

UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE

RECEIVED

In re:) P & S Docket No. D-15-0169
)
Amana Meat Market, Inc.,)
)
Respondent.) Consent Decision

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 Respondent Amana Meat Market, Inc. willfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (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 (7 C.F.R. § 1.138).

Respondent Amana Meat Market, Inc. 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, to the entry of this Consent Decision.

Complainant agrees to the entry of this Consent Decision.

Findings of Fact

1. Amana Meat Market, Inc. (Respondent) is a corporation organized and existing under the laws of the State of Michigan with a mailing address of 15242 W. Warren Ave., Dearborn, MI 48126.

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

- (a) Engaged in the business of buying livestock in commerce for the purposes of slaughter; and
- (b) A packer within the meaning of and subject to the provisions of the Act.

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, its owners, officers, directors, agents and employees, directly or through any corporate or other device, in connection with its operations subject to the Act, shall cease and desist from engaging in business in any capacity for which bonding is required under the Act and the Regulations without filing and maintaining an adequate bond or its equivalent, as required by the Act and the Regulations.

Pursuant to section 312(b) of the Act (7 U.S.C. § 213(b)), Respondent is assessed a civil penalty in the amount of Two Thousand Four Hundred Dollars (\$2,400.00).

Respondent agrees to pay the civil penalty as follows:

1. Respondent shall make an initial payment of \$300.00, by check or money order payable to "United States Department of Agriculture." Respondent shall mail the initial payment, together with this signed Consent Decision, in an envelope postmarked no later than **November 16, 2015**, to Complainant's attorney at the following address:

United States Department of Agriculture
Office of the General Counsel
Marketing, Regulatory, and Food Safety Programs Division
1400 Independence Avenue, SW
Room 2319, South Building
Washington, DC 20250-1400
Attn: Tracy McGowan.

2. Respondent shall pay the remaining \$2,100.00 in seven (7) quarterly payments of \$300.00 each. The quarterly payments shall be made by check or money order payable to "United States Department of Agriculture," sent by mail postmarked no later than the following dates:

February 16, 2016
May 16, 2016
August 16, 2016
November 16, 2016
February 16, 2017
May 16, 2017
August 16, 2017

Respondent shall mail each quarterly payment to the following address:

United States Department of Agriculture
GIPSA
P.O. Box 790335
St. Louis, MO 63179-0335

3. Respondent shall include the docket number "D-15-0169" in the memo section of each check or money order, and shall mail each payment in an envelope with sufficient first class postage.

If Respondent fails to comply with any of the terms of this Consent Decision, any remaining balance of the civil penalty shall become immediately due and payable, together with such interest, penalty, and court costs as may be provided for by law. Respondent expressly waives any further procedure related to this enforcement action, including waiver of any procedure in connection with its compliance or non-compliance with the terms of this Consent Decision.

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

Copies of this Consent Decision shall be served upon the parties.

Done at Washington, D.C.
this 10 day of Dec, 2015

Administrative Law Judge

Jill S. Clifton

Amana Meat Market, Inc.,
Respondent

Nasr, Moussa

By: 

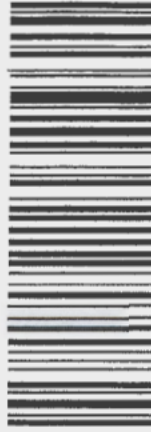
Title: owner


Tracy McGowan
Attorney for Complainant

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See Reverse for Instructions

AMANA MEAT MARKET, INC.
15242 W. WARREN AVE.
DEARBORN, MI 48126

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