



# News Release

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## **Fred Berger, Ltd., d/b/a Berger Cattle Company and Fred J. Berger, d/b/a FT Ranch Assessed a \$10,000 Civil Penalty**

WASHINGTON, May 15, 2017 – On March 31, 2017, the U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Fred Berger, Ltd., doing business as Berger Cattle Company and Fred J. Berger (Berger), doing business as FT Ranch, Mandan, N.D.

An Administrative Law Judge ordered Fred Berger, Ltd. and Berger to cease and desist from:

- consigning livestock to a market and repurchasing such livestock under the name of any business entity in which Fred Berger, Ltd. or Berger has a financial interest, or any trade name under which Berger buys or sells livestock, to fill an order on a commission basis
  - for the purpose or with the effect of increasing the price of such livestock to the person(s) for whom such purchases are made; and
  - without disclosing to the person(s) for whom such purchases are made, prior to the purchase and in accordance with section 201.44 of the Regulations (9 C.F.R. § 201.44), all relevant information necessary to show fully the true nature of the transaction, including, but not limited to, which head of livestock Fred Berger, Ltd. and Berger have an ownership interest in, any profits realized beyond authorized commissions, and the original purchase price, purchase weight, and purchase location of such livestock: and
- failing to otherwise operate in compliance with section 201.44 of the Regulations (9 C.F.R. § 201.44).

Berger has also been assessed a \$10,000 civil penalty.

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The consent decision resolves a complaint that GIPSA filed against Fred Berger, Ltd. and Berger on March 29, 2017.

The Packers and Stockyards Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environment for the livestock, meat, and poultry industries.

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