



News Release

Release No.: 55-17

Contact:
Catherine M. Grasso, (202) 720-7201
Catherine.M.Grasso@usda.gov

GIPSA Alleges New Holland Sales Stables, Inc. and David Kolb Violated the Packers and Stockyards Act

WASHINGTON, Aug. 11, 2017 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that New Holland Sales Stables, Inc. (New Holland) under the direction, management and control of David Kolb (Kolb), New Holland, Pa.:

- failed to properly use and maintain its custodial account;
- transferred custodial funds to the market’s general account, in violation of 9 C.F.R. § 201.42; and
- deposited proceeds from the sale of livestock on a commission basis, into an account other than the market’s custodial account, in violation of 9 C.F.R. § 201.42.

GIPSA alleges that on September 30 and December 31, 2015, New Holland had debit items insufficient in amount to cover outstanding checks drawn on its custodial account, resulting in custodial account shortages on those dates.

GIPSA further alleges that the shortages in New Holland’s custodial account were due, in part, to Kolb’s failure to deposit into the account an amount equal to the proceeds receivable from the sale of consigned livestock within the time prescribed by section 201.42 of the Regulations.

GIPSA filed a complaint against New Holland and Kolb on June 15, 2017. The complaint can be found on the [GIPSA website](#). If the allegations are admitted, or proven in an oral hearing, New Holland and Kolb may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended and/or assessed a civil penalty.

USDA is an equal opportunity provider and employer. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866)632-9992 (Toll-free Customer Service), (800)877-8339 (Local or Federal relay), (866)377-8642 (Relay voice users).

New Holland Sales Stables, Inc.
David Kolb
Page 2

New Holland was engaged in the business of conducting and operating a posted stockyard subject to the provisions of the P&S Act; engaged in the business of a market agency selling consigned livestock in commerce on a commission basis at the stockyard, and buying and selling livestock in commerce as a dealer; and is registered with the Secretary of Agriculture.

Kolb was an 80% owner and president of New Holland; responsible for the day-to-day direction, management and control of New Holland; and a market agency within the meaning of and subject to the provisions of the P&S Act.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

#

USDA is an equal opportunity provider and employer. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866)632-9992 (Toll-free Customer Service), (800)877-8339 (Local or Federal relay), (866)377-8642 (Relay voice users).