

Findings of Fact

1. Respondent is a corporation organized and existing under the laws of the State of Delaware, located in Greeley, Colorado. Its business mailing address is 1770 Promontory Circle, Greeley, CO 80634.

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;

(b) Engaged in the business of manufacturing or preparing meat and meat food products for sale or shipment in commerce; and

(c) A packer within the meaning of and subject to the provisions of the Act.


Order

Respondent, its agents and employees, successors and assigns, directly or through any corporate or other device, in connection with all its activities subject to the Act, shall cease and desist from inaccurately weighing livestock carcasses for the purposes of payment to livestock sellers, reporting inaccurately weighed hot carcass weights to livestock sellers, and paying livestock sellers on inaccurate hot carcass weights, in willful violation of section 202(a) of the Act (7 U.S.C. § 192 (a)), section 409 of the Act (7 U.S.C. § 228 (b)), and sections 201.71(a) and 201.99(d) of the regulations (9 C.F.R. §§ 201.71 and 201.99).

Pursuant to Section 203 of the Act (7 U.S.C. § 193), Respondents are assessed a civil penalty in the amount of \$6200.00, payable to the United States Treasury immediately upon service of this Order on Respondent. The payment shall be sent to the following address: USDA, GIPSA, P.O. Box 790335, St. Louis, MO 63179-0335.

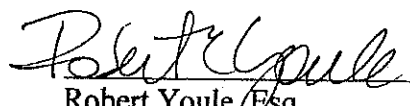
The provisions of this Order shall become effective immediately upon service of this Order on the Respondent.

Copies of this decision shall be served upon the parties.



Christopher Young, Esq.
Attorney For Complainant

12/9/08
Date




Robert Youle, Esq.
Attorney For Respondent

12/16/2008
Date

Issued this 18th day of

December, 2008



Marc R. Hillson
Administrative Law Judge