

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:)	P&S Docket No. 13-0208
)	13-0209
Christopher J. Bartels,)	13-0210
d/b/a Bartels Packing,)	
)	
Bartels Packing, Inc.,)	
)	
Walt's Wholesale Meats, Inc.,)	
Respondents)	Consent Decision

This proceeding was instituted under the Packers and Stockyards Act, 1921, (Act) as amended and supplemented (7 U.S.C. § 181 et seq.), (the 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 Respondents willfully violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondents admit the jurisdictional allegations in paragraph I of the Complaint and specifically admit that the Secretary has jurisdiction in this matter, deny the remaining allegations, but for the purpose of settling this proceeding, and for such purpose only, the Respondents waive oral hearing and further proceedings and consent and agree to the entry of this decision. It is further understood and agreed that this decision does not constitute a finding of any wrongdoing on the part of any of the Respondents.

Complainant agrees to the entry of this decision.

Findings of Fact

(a) Christopher J. Bartels, respondent herein, is an individual who previously conducted business as Bartels Packing, and who has a business address of 88091 Central Road, Eugene, Oregon 97402 and a mailing address of PO BOX 24208, Eugene, Oregon, 97402.

(b) Bartels Packing, Inc., respondent herein, is a business incorporated under the laws of the State of Oregon. It has a business address of 88091 Central Road, Eugene, Oregon 97402 and a mailing address of PO BOX 24208, Eugene, Oregon, 97402.

(c) Walt's Wholesale Meats, Inc., respondent herein, is a business incorporated under the laws of the State of Washington. It has a business mailing address of 350 S Pekin Rd., Woodland, Washington, 98674.

(d) Respondent Christopher J. Bartels, who previously did business as (d/b/a) Bartels Packing, at all times material herein was:

(1) Engaged in the business of buying livestock in commerce for the purpose of slaughter, and of manufacturing or preparing meats or meat products for sale or shipment in commerce;

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

(3) President, Secretary, and Owner of Respondent Bartels Packing, Inc.; and

(4) Responsible for the direction, management and control of Respondent Bartels Packing, Inc.

(e) Respondent Bartels Packing, Inc. was incorporated in October 2011. Respondent Christopher J. Bartels ceased doing business as Bartels Packing on or about December 1, 2012. Since on or about December 1, 2012, Respondent Bartels Packing, Inc., under the direction, management, and control of Respondent Christopher J. Bartels, has been:

(1) Engaged in the business of buying livestock in commerce for the purpose of slaughter, and of manufacturing or preparing meats or meat products for sale or shipment in commerce; and

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

(f) Respondent Walt's Wholesale Meats, Inc., at all times material herein was:

(1) Engaged in the business of buying livestock in commerce for the purposes of slaughter and of manufacturing and preparing meats or meat food products for sale or shipment in commerce; and

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

Conclusions

Respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision on the terms and conditions herein, the decision will be entered.

Order

In accordance with section 312(b) of the Act (7 U.S.C. 213(b)), Christopher J. Bartels d/b/a Bartels Packing is assessed a civil penalty of \$750 and Walt's Wholesale Meats, Inc. is assessed a civil penalty of \$750 .

The provisions of this order shall become effective on the sixth day after service of this Order on the Respondents.

Copies of this decision shall be served upon the parties.

Issued in Washington D.C.

this 7 day of March, 2014

filed A. Cij to for

Administrative Law Judge

Janice K. Bullard

Respondent Christopher J. Bartels
d/b/a Bartels Packing

Brian P. Sylvester, Esq.
Counsel for Complainant

2/20/14

Aaron Noteboom, Esq.
Counsel for Respondent Christopher J. Bartels
d/b/a Bartels Packing and Bartels Packing, Inc.

2/10/14

G. Lance Salladay, Esq.
Counsel for Respondent Walt's Wholesale Meats, Inc.