

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:)
) P&S Docket No. 14- 0106
)
)
) Keith Jensen,
) d/b/a
) Keith Jensen Livestock
)
) Respondent
) Decision without Hearing by Reason
) Of Consent

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. §§ 181 et seq.), 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 Keith Jensen, doing business as Keith Jensen Livestock, willfully violated the Act. This decision is entered pursuant to the consent decision provision of the rules of practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent 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 and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

(a) Respondent Keith Jensen is an individual. In order to protect the personal privacy of the respondent, complainant is not providing his address in this consent decision. Complainant has provided the address to the Hearing Clerk so that service can be effected.

(b) Respondent was at all times material herein:

(1) engaged in the business of a dealer buying and selling livestock in commerce for his own account and the account of others;

(2) engaged in the business of a market agency buying livestock in commerce on a commission basis; and

(3) registered with the Secretary of Agriculture as a dealer to buy or sell livestock in commerce and as a market agency to buy livestock in commerce on a commission basis.

Conclusions

The respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

Respondent, his agents and employees, directly or through any corporate or other device, in connection with his operations subject to the Act, shall cease and desist from failing to pay, when due, for such livestock purchases, as required by section 312(a) and 409 of the Act (7 U.S.C. §§ 213(a) and 228b).

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), respondent is hereby assessed a civil penalty in the amount of Ten Thousand Dollars (\$10,000.00).

This Order shall have the same force and effect as if entered after full hearing. The provisions of this Order shall become final and effective on the sixth (6th) day after service of this Consent Decision and Order on the respondent (7 C.F.R. § 1.138).

Copies of this decision and order shall be served upon the parties.

Keith Jensen
Keith Jensen
Respondent

Lisa Jabaily
Lisa Jabaily
Attorney for Complainant

Done at Washington, D.C.

this 8th day of May, 2014

L. J. [Signature]
Administrative Law Judge