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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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In re:) P. & S. Docket No. D-09- 0086
)
Central Beef Ind., LLC,)
)
) Complaint and Notice
Respondent) of Hearing

There is reason to believe that Respondent named herein has willfully violated the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.) (hereinafter referred to as the "Act"), and therefore, this Complaint and Notice of Hearing is issued alleging the following:

I

(a) Central Beef Ind., LLC (hereinafter, "Respondent") is a limited liability company organized and existing under the laws of the State of Florida. Respondent's address is P.O. Box 399, 571 Kings Highway, Center Hill, FL 33514.

(b) Respondent is, and at all times material herein was:

- (1) Engaged in the business of buying livestock in commerce for purposes of slaughter;
- (2) Engaged in the business of slaughtering cattle and manufacturing or preparing meat or meat products for sale or shipment in commerce; and
- (3) A packer within the meaning of and subject to the Act.

II

Respondent purchased livestock and failed to pay, when due, for such livestock purchases on or about the dates and in the transactions set forth in Attachment A, to six (6) sellers for 1213

head of cattle, in an amount of \$658,742.39. Respondent's payments were from two (2) to five (5) days late.

III

By reason of the facts alleged in paragraph II herein, Respondent has wilfully violated sections 202(a) and 409 of the Act (7 U.S.C. §§ 192(a) and 228b).

WHEREFORE, it is hereby ordered that for the purpose of determining whether Respondent has, in fact, willfully violated the Act, this Complaint and Notice of Hearing shall be served upon Respondent. Respondent shall have twenty (20) days after receipt of this Complaint and Notice of Hearing to file with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, an answer with an original and three copies, fully and completely stating the nature of the defense and admitting or denying, specifically and in detail, each material allegation of this Complaint and Notice of Hearing. Allegations not answered will be deemed admitted for the purpose of this proceeding. Failure to file an answer shall constitute an admission of all the material allegations of this Complaint and Notice of Hearing unless the parties have agreed to a consent decision pursuant to section 1.138 of the Rules of Practice (7 C.F.R. § 1.138).

Respondent is hereby notified that unless hearing is waived, either expressly or by failure to answer and request a hearing as provided by sections 1.136 and 1.141 of the Rules of Practice, a hearing for the above-mentioned purpose will be held at a time and place to be later designated before an administrative law judge authorized to conduct such hearing. At such hearing, Respondent will have the right to appear and show cause why an appropriate order should not be

issued in accordance with the provisions of the Act requiring that Respondent cease and desist from violating the Act with respect to the matters alleged herein and assessing an appropriate civil penalty.

Done at Washington, D.C.

this 31 day of March, 2009



Alan R. Christian
Deputy Administrator
Packers and Stockyards Program
Grain Inspection, Packers and Stockyards
Administration

Charles L. Kendall
Attorney for Complainant
Telephone: (202) 720-9405

Attachment A

Date of Sale	Name of Market	Head No	Livestock Amount	Date Due	Date Sent	Days Late
06/11/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	61	\$30,247.29	06/12/07	06/15/2007	3
06/18/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	29	\$15,372.61	06/19/07	06/22/2007	3
06/25/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	31	\$18,502.44	06/26/07	06/29/2007	3
07/09/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	44	\$24,831.03	07/10/07	07/13/2007	3
07/30/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	26	\$15,188.34	07/31/07	08/03/2007	3
08/06/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	49	\$23,437.52	08/07/07	08/10/2007	3
08/13/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	28	\$17,340.40	08/14/07	08/17/2007	3
08/20/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	40	\$20,259.31	08/21/07	08/24/2007	3
08/27/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	53	\$26,586.64	08/28/07	08/31/2007	3
09/03/2007	Columbia Livestock Market of Lake City, Inc., Lake City, FL	20	\$9,434.94	09/04/07	09/07/2007	3
08/20/2007	Hardee Livestock Market, Wachula, FL	28	\$16,818.94	08/21/07	08/24/2007	3
08/27/2007	Hardee Livestock Market, Wachula, FL	33	\$18,204.05	08/28/07	08/31/2007	3
06/06/2007	North Florida Livestock, Lake City, FL	28	\$14,229.91	06/07/07	06/12/2007	5
06/13/2007	North Florida Livestock, Lake City, FL	27	\$16,045.33	06/14/07	06/18/2007	4
06/20/2007	North Florida Livestock, Lake City, FL	73	\$38,276.19	06/21/07	06/25/2007	4
07/18/2007	North Florida Livestock, Lake City, FL	35	\$23,520.35	07/19/07	07/23/2007	4
07/25/2007	North Florida Livestock, Lake City, FL	62	\$32,987.47	07/26/07	07/30/2007	4
08/01/2007	North Florida Livestock, Lake City, FL	55	\$34,444.26	08/02/07	08/07/2007	5
08/08/2007	North Florida Livestock, Lake City, FL	35	\$19,628.70	08/09/07	08/13/2007	4
08/15/2007	North Florida Livestock, Lake City, FL	49	\$29,405.54	08/16/07	08/20/2007	4
08/22/2007	North Florida Livestock, Lake City, FL	55	\$30,827.42	08/23/07	08/27/2007	4
08/29/2007	North Florida Livestock, Lake City, FL	36	\$18,363.24	08/30/07	09/04/2007	5
09/12/2007	North Florida Livestock, Lake City, FL	79	\$43,454.02	09/13/07	09/17/2007	4
09/19/2007	North Florida Livestock, Lake City, FL	83	\$40,753.08	09/20/07	09/24/2007	4
09/17/2007	Ocala Livestock Market, Inc., Ocala, FL	50	\$27,123.50	09/18/07	09/21/2007	3
09/24/2007	Ocala Livestock Market, Inc., Ocala, FL	27	\$12,246.55	09/25/07	09/28/2007	3
07/31/2007	Stone Livestock Commission, Mt. Pleasant, TX	5	\$2,789.86	08/01/07	08/03/2007	2
08/07/2007	Stone Livestock Commission, Mt. Pleasant, TX	10	\$6,013.88	08/08/07	08/10/2007	2
09/18/2007	Thomas County Stock Yards, Inc., Thomasville, GA	62	\$32,409.58	09/19/07	09/21/2007	2
		1213	\$658,742.39			