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UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE

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In re:	)	P. & S. Docket No. D- 07-0042
	)	
Dane Fine d/b/a Dane Fine	)	
Meat Packing	)	
	)	
	)	
Respondent	)	Complaint and Notice of Hearing

There is reason to believe that the 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 is issued alleging the following:

I.

- (a) Dane Fine doing business as Dane Fine Meat Packing, hereinafter referred to as "Respondent," is an individual doing business in the Commonwealth of Pennsylvania whose mailing address is 1080 Butler Road, Saxonburg, Pennsylvania 16056.
- (b) Respondent at all times material to this complaint was:
  - (1) Engaged in the business of buying livestock in commerce for the purpose of slaughter; and
  - (2) A packer within the meaning of and subject to the provisions of the Act.

II.

On or about the dates and in the transactions set forth below, Respondent purchased livestock and failed to pay, when due, the full purchase price of such livestock.

Purchase Date	Seller	No. of Head	Invoice Amount	Date Due	Check Date	Days Late
5/26/05	Dinger Livestock	20	\$2,704.05	5/27/05	6/21/05	25
8/11/05	Dinger Livestock	33	\$4,417.80	8/12/05	8/16/05	4
8/16/05	Dinger Livestock	13	\$1,494.50	8/17/05	8/30/05	13
8/17/05	Dinger Livestock	18	\$2,456.75	8/18/05	8/23/05	5
8/24/05	Dinger Livestock	37	\$5,846.16	8/25/05	9/1/05	7
8/30/05	Dinger Livestock	26	\$3,963.05	8/31/05	9/9/05	9
9/7/05	Dinger Livestock	21	\$4,013.05	9/8/05	9/20/05	12
9/15/05	Dinger Livestock	35	\$6,347.76	9/16/05	9/28/05	12
9/25/05	Dinger Livestock	21	\$3,709.89	9/26/05	10/5/05	9
10/11/05	Dinger Livestock	6	\$3,143.63	10/12/05	10/27/05	15
10/30/05	Dinger Livestock	28	\$4,628.83	10/31/05	11/8/05	8
11/4/05	Dinger Livestock	24	\$3,726.90	11/7/05	11/16/05	9
11/13/05	Dinger Livestock	25	\$4,650.93	11/14/05	11/25/05	11
11/23/05	Dinger Livestock	7	\$2,696.40	11/25/05	12/5/05	10
12/11/05	Dinger Livestock	23	\$3,769.60	12/12/05	12/20/05	8
5/25/05	Walt Johnson	12	\$1,381.60	5/26/05	6/14/05	19
6/6/05	Muskingum Livestock	48	\$6,338.62	6/7/05	6/28/05	21
6/27/05	Muskingum Livestock	52	\$7,158.15	6/28/05	7/15/05	17
7/12/05	Muskingum Livestock	44	\$5,970.62	7/13/05	8/4/05	22
7/25/05	Muskingum Livestock	48	\$6,135.52	7/26/05	8/23/05	28
9/26/05	Muskingum Livestock	42	\$5,095.29	9/27/05	10/18/05	21
7/13/05	Jack Fox	8	\$7,024.00	7/14/05	7/21/05	7
5/25/05	Prime Veal	8	\$2,322.60	5/26/05	6/17/05	22
6/6/05	Prime Veal	6	\$3,299.16	6/7/05	7/6/05	29
6/27/05	Prime Veal	6	\$3,590.60	6/28/05	8/2/05	35
<b>TOTAL</b>		<b>611</b>	<b>\$105,885.46</b>			

### III.

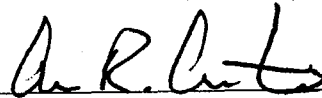
By reason of the facts alleged in paragraph II, Respondent has willfully violated sections 202(a) and 409 of the Act (7 U.S.C. §§ 192, 228b).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the Respondent has, in fact, willfully violated the Act, this Complaint and Notice of Hearing shall be served upon the Respondent. The Respondent shall have twenty (20) days after receipt of this Complaint and Notice of Hearing in which 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). The 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 place and time 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 Respondent to cease and desist from

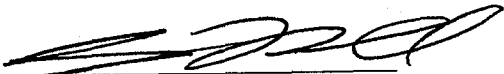
violating the Act with respect to the matters alleged herein and assessing an appropriate civil penalty.

Done at Washington, D.C.

this 14 day of December, 2006



Alan R. Christian  
Deputy Administrator,  
Packers and Stockyards Program



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