

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: )  
) P&S Docket No. D-13- 072-8  
)  
Al-Houda Meat Market Inc., )  
)  
)  
Respondent ) Complaint and Notice of Hearing

There is reason to believe that the respondent named herein has willfully violated the Packers & Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.) and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 et seq.) and, therefore, this Complaint and Notice of Hearing is issued alleging the following:

I.

(a) Al-Houda Meat Market Inc., referred to herein as Respondent, is a business incorporated under the laws of the State of Michigan. Respondent's business operating address is 10521 W. Warren Avenue, Dearborn, MI, 48126.

(b) Respondent at all times material herein was:

(1) Engaged in the business of buying livestock in commerce for the purposes of slaughter;

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

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

## II

A. On or about December 20, 2011, the Midwestern Regional Office, Packers and Stockyards Program, GIPSA, sent Respondent a Notice by certified mail. The Notice indicated that the Packers and Stockyards Act requires that all packers whose average annual purchases of livestock exceed \$500,000 must file and maintain a surety bond or bond equivalent. This Notice was received by Respondent on or about December 22, 2011. The Notice further stated that Respondent should complete and file a Packer Inquiry form, P&SP-1400.

B. On or about June 6, 2012, the Midwestern Regional Office, Packers and Stockyards Program, GIPSA, sent Respondent a Notice of Default (NOD) by certified mail. The NOD informed Respondent that operating as a packer subject to the Packers and Stockyards Act without properly filing a bond or bond equivalent is a violation of the Act and regulations promulgated thereunder. This NOD was received by Respondent on or about June 9, 2012. The NOD warned Respondent that failure to comply with the bonding requirements would result in appropriate corrective action. Relevant provisions, forms and instructions for bonding were enclosed with the NOD.

### III

Notwithstanding the facts alleged above in paragraph II, from about June 26, 2012, through October 2, 2012, in approximately 12 transactions, as described in Appendix A, which is incorporated herein by reference, and in other transactions on other dates, Respondent engaged in the business of a packer purchasing livestock in commerce without maintaining a bond or bond equivalent.

### IV

By reason of the facts alleged in paragraphs II and III of this Complaint and Notice of Hearing, Respondent has willfully violated section 202(a) of the Act (7 U.S.C. § 192(a)) and sections 201.29 and 201.30 of the regulations (9 C.F.R. §§ 201.29 and 201.30).

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 in which to file an answer with the Hearing Clerk, Room 1031, South Building, United States Department of Agriculture, 1400 Independence Avenue, SW, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 *et seq.*). Failure to file an answer shall constitute an admission of all the material allegations of this Complaint and Notice of Hearing.

Respondent is hereby notified that unless hearing is waived, either expressly or by failure to answer and request a hearing, a hearing will be held in accordance with the Rules of Practice, at a place and time to be designated later. At the 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 which requires that Respondent cease and desist from violating the Act with respect to matters alleged herein and assesses such civil penalties as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.

this 29<sup>th</sup> day of April, 2013

Susan B. Keith  
Susan B. Keith  
Deputy Administrator  
Packers and Stockyards Program

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Appendix A

<b>Purchased From</b>	<b>Purchase Date</b>	<b>No. of Head of Cattle Purchased</b>	<b>Livestock Amount</b>
United Producers, Inc.	06/26/2012	12	\$19,742.13
United Producers, Inc.	07/10/2012	13	\$22,047.20
United Producers, Inc.	07/17/2012	15	\$21,848.44
United Producers, Inc.	08/07/2012	13	\$20,476.05
United Producers, Inc.	08/14/2012	14	\$18,802.08
United Producers, Inc.	08/21/2012	10	\$17,787.10
United Producers, Inc.	08/28/2012	12	\$18,887.18
United Producers, Inc.	09/04/2012	12	\$17,357.93
United Producers, Inc.	09/11/2012	16	\$22,644.27
United Producers, Inc.	09/18/2012	10	\$16,468.73
United Producers, Inc.	09/25/2012	11	\$19,365.68
United Producers, Inc.	10/2/2012	9	\$15,622.78