

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE



In re: ) P&S Docket No.  
          ) *14-0086*  
Leo Heinrich d/b/a )  
Heinrich Cattle Co., )  
                          ) Respondent )  
                          ) Complaint )

There is reason to believe that the respondent named herein has willfully violated the Packers & Stockyards Act of 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 is issued alleging the following:

I.

- (a) Leo Heinrich d/b/a Heinrich Cattle Co., referred to herein as the respondent, is an individual with a business address of 14310 83<sup>rd</sup> Street SW, Bowman, North Dakota 58623.
- (b) The respondent was at all times material herein:
  - (1) Engaged in the business of a dealer or market agency buying livestock in commerce on a commission basis; and
  - (2) Registered with the Secretary of Agriculture as a dealer or market agency to buy livestock in commerce on a commission basis.

II.

During the period from October 2, 2012, through March 19, 2013, in 20 transactions involving his purchase of a total of 3,624 head of livestock at Miles City Livestock Commission Co. in Miles City, Montana, for a total purchase price of \$2,726,970.77, the respondent failed to pay, when due, the full purchase price of the livestock.

### III.

By reason of the facts alleged in paragraph II, the respondent has willfully violated sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a) and 228b).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondent has in fact willfully violated the Act and regulations issued thereunder, this complaint shall be served upon the respondent. The respondent shall have twenty (20) days following receipt of this complaint to file an Answer with the Hearing Clerk, Room 1031 - South Building, United States Department of Agriculture, 1400 Independence Ave., S.W., Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing the proceedings under the Act (7 C.F.R. §§ 1.130 *et seq.*). Allegations not answered shall be deemed admitted for the purpose of this proceeding. Failure to file an answer will constitute an admission of all the material allegations in this complaint and a waiver of hearing.

The Grain Inspection, Packers and Stockyards Administration, Packers and Stockyards Program, requests:

1. That unless the respondent fails to answer within the time allowed, or files an answer admitting all material allegations of this complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice; and
2. That an order be issued requiring the respondent to cease and desist from the violations of the Act and the regulations found to exist, prohibiting the respondent from engaging in business in any capacity for which registration and bonding are required under the Act and regulations without properly registering and providing such bond, and assessing such civil penalties against the respondent as are authorized by the Act and warranted by the facts and circumstances of this case.

Done at Washington, D.C.

this 31<sup>st</sup> day of March, 2014

Susan B. Keith

Susan B. Keith  
Deputy Administrator  
Packers and Stockyards Program

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