



UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re: ) Docket No. 14- 0096  
)  
Rodney Rasco )  
d/b/a Rodney Rasco/ R & R Farms, )  
)  
Respondent ) Complaint

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.), 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) Rodney Rasco, doing business as Rodney Rasco / R & R Farms, referred to herein as respondent, is an individual. In order to protect the personal privacy of the respondent, complainant is not providing his address in this complaint. 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; and

(2) not registered with the Secretary of Agriculture as a dealer to buy and sell

livestock in commerce or a market agency to buy livestock in commerce on a commission basis.

## II

On August 15, 2012, GIPSA sent the respondent a Notice of Default Registration/Bonding by certified mail. The NOD was delivered on August 18, 2012. The NOD notified the respondent that he needed to file an application for registration and secure a bond or bond equivalent if he wished to engage in the business of buying and selling livestock in interstate commerce. The letter also informed respondent that engaging in business in any capacity that is subject to the Act without being properly registered with GIPSA and without filing a bond or bond equivalent is a violation of the Act and regulations and could subject him to disciplinary action.

## III

During the period from September 5, 2012, through at least October 10, 2012, in approximately six transactions involving the purchase of 94 head of livestock from Farmers Livestock Marketing AAL for a total of \$80,266.01, and a commission of \$530.16, the respondent engaged in the business of a market agency buying and selling in commerce on commission basis without being registered with the Secretary and without maintaining an adequate bond or bond equivalent.

## IV

During the period from September 5, 2012, through at least October 29, 2012, in approximately 16 transactions involving the purchase of 164 head of livestock from Farmers Livestock Marketing AAL, and Southeast Mississippi Livestock, for a total of \$81,179.02, the respondent engaged in the business of a dealer buying and selling in commerce without being registered with the Secretary and without maintaining an adequate bond or bond equivalent.

V

By reason of the facts alleged in paragraph II, III, and IV, of the complaint Respondent willfully violated section 312(a) of the Act (7 U.S.C. § 213(a)), and sections 201.29 and 201.30 of the Regulations (9 C.F.R. §§ 201.29, 201.30) by operating without an adequate bond or bond equivalent.

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondent has willfully violated the Act, 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 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 shall constitute an admission of all the material allegations of this complaint.

The Grain Inspection, Packers and Stockyards Administration, requests:

1. That unless the respondent fails to file an answer within the time allowed therefore, or file an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice Governing Proceedings Under the Act; and
2. That such order or orders be issued, including an order requiring the respondent to cease and desist from the violations found to exist, and assessing such civil penalties as are authorized by the Act and warranted in the premises.

Done at Washington, D.C.

this 18<sup>th</sup> day of April, 2014

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

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