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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-12-0002
Kao Vang and Chue Thao,)	
d/b/a California Fresh Meats)	
)	
)	
Respondents)	Complaint

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

I

(a) Kao Vang and Chue Thao, (Respondents) are individuals d/b/a California Fresh Meats, a partnership, whose business mailing address is 13600 E. Belmont, Sanger, California 93657.

(b) Respondents, at all times material herein, were:

(1) Engaged in business as a dealer, buying and selling livestock in commerce for its own account;

(2) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for its own account; and

(3) At all times material to this complaint, operating as a dealer within the jurisdiction of the Secretary.

II

Respondents, on or about the dates and in the transactions set forth in Appendix A, issued checks in payment for livestock purchases, which checks were returned unpaid by the bank upon which they were drawn because Respondents did not have and maintain sufficient funds on deposit and available in the account upon which the checks were drawn to pay the checks when presented.

Respondents, on or about the dates and in the transactions set forth in Appendix B, purchased livestock in commerce and failed to pay, when due, the full purchase price of such livestock. As of the date of issuance of this complaint, the livestock purchases from Western Stockman's Market, referred to in Appendix B, remain unpaid.

III

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

WHEREFORE, it is hereby ordered that this Complaint shall be served upon Respondents for the purpose of determining whether the Respondents have willfully violated the Act. Respondents shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, in accordance with the Rules of Practice governing 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 Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), requests:

1. That unless Respondents fail to file an answer within the time allowed, or files an answer admitting all the material allegations of this Complaint, this proceeding be set for oral hearing in accord with the Rules of Practice governing proceedings under the Act; and

2. That such order or orders be issued, including an order requiring Respondents to cease and desist from the violations of the Act with respect to the matters alleged herein, suspending the Respondents as registrants under the Act, and assessing such penalties as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.
this 3 day of October 2011



Alan R. Christian
Deputy Administrator
Packers and Stockyards Program

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Appendix A

PURCHASED FROM	PURCHASE DATE	NO. OF HEAD	LIVESTOCK AMOUNT	DUE DATE PER § 409 (a)	CHECK NUMBER	RETURN DATE
Visalia Livestock Market	6/2/10	3	\$3,210.03	6/3/10	1326	6/4/10
Western Stockman's Market	6/3/10	25	\$2,508.64	6/4/10	1327	6/21/10
Circle M Livestock	7/14/10	35	\$4,765.00	7/15/10	N/A	N/A
TOTAL		63	\$10,483.67			

Appendix B

PURCHASED FROM	PURCHASE DATE	NO. OF HEAD	LIVESTOCK AMOUNT	DUE DATE PER § 409 (a)	UNPAID BALANCE
Visalia Livestock Market	6/2/10	3	\$3,210.03	6/3/10	
Western Stockman's Market	6/3/10	25	\$2,508.64	6/4/10	\$2,508.64
Circle M Livestock	7/14/10	35	\$4,765.00	7/15/10	