

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) P&S Docket No. D- 12-0146
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Geoffrey S. Martin,)
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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 - 229) (Act) and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 et seq.) (regulations), and, therefore, this Complaint is issued alleging the following:

I.

(a) Geoffrey S. Martin, referred to herein as the Respondent, is an individual whose business mailing address is his home address in the State of Louisiana. Respondent's address has been omitted from this Complaint in order to protect his personal privacy. Complainant has provided Respondent's address to the Hearing Clerk so that service can be effectuated.

- (b) Respondent is, and at all times material herein was:
- (1) Engaged in the business of buying livestock in commerce on a commission basis; and
 - (2) Not registered with the Secretary of Agriculture.

II.

On November 5, 2010, Respondent received written notification from Packers and Stockyards Program that the agency had information which indicated that Respondent was buying and selling livestock in commerce without being registered and providing a bond. The written notification referenced section 303 of the Act (7 U.S.C § 203) and sections 201.10 and 201.27 through 201.34 of the regulations (9 C.F.R §§ 201.10, 201.27 – 201.34) and informed Respondent of his obligation to register and secure a bond or bond equivalent. Notwithstanding such notice, Respondent continued to engage in the business of buying livestock in commerce on a commission basis without registering or maintaining an adequate bond or bond equivalent as required by the Act and the regulations.

III.

On or about the dates and in the transactions set forth below, Respondent engaged in the business of a market agency buying cattle on commission without maintaining adequate bond or bond equivalent:

DATE OF PURCHASE	NO. HEAD	LIVESTOCK AMOUNT	PURCHASED FROM	PURCHASED FOR	COMMISSION AMOUNT
11/13/2010	25	\$10,698.28	Miller Livestock Markets, Inc.	San Angelo Packing	\$124.88

DATE OF PURCHASE	NO. HEAD	LIVESTOCK AMOUT	PURCHASED FROM	PURCHASED FOR	COMMISSION AMOUNT
11/13/2010	168	\$66,764.80	Miller Livestock Markets, Inc.	Martin Family Farm	\$1,047.15
11/20/2010	30	\$17,965.77	Miller Livestock Markets, Inc.	San Angelo Packing	\$172.95
12/04/2010	36	\$15,770.66	Miller Livestock Markets, Inc.	Martin Family Farm	\$286.20
12/11/2010	13	\$5,729.87	Miller Livestock Markets, Inc.	RW Farms, LLC	\$113.40
12/11/2010	32	\$12,617.30	Miller Livestock Markets, Inc.	Martin Family Farm	\$294.15
12/18/2010	13	\$9,309.50	Miller Livestock Markets, Inc.	Martin Family Farm	\$150.75
12/18/2010	94	\$43,202.26	Miller Livestock Markets, Inc.	Martin Family Farm	\$933.45
11/15/2010	16	\$7,292.80	Kinder Livestock Auction, Inc.	Martin Family Farm	\$109.73
11/29/2010	82	\$40,397.13	Kinder Livestock Auction, Inc.	Martin Family Farm	\$539.30
12/6/2010	24	\$12,073.81	Kinder Livestock Auction, Inc.	Martin Family Farm	\$242.10
11/10/2010	77	\$32,279.64	Mansura Livestock Auction, LLC	Tom Lindsey	\$805.40
11/10/2010	38	\$13,091.98	Mansura Livestock Auction, LLC	Martin Family Farm	\$318.53
11/17/2010	47	\$23,267.17	Mansura Livestock Auction, LLC	Tom Lindsey	\$512.60
12/01/2010	23	\$8,465.51	Mansura Livestock Auction, LLC	Tom Lindsey	\$203.30
12/01/2010	71	\$28,098.15	Mansura Livestock Auction, LLC	Martin Family Farm	\$473.93
12/08/2010	37	\$16,274.73	Mansura Livestock Auction, LLC	Tom Lindsey	\$367.40
12/08/2010	4	\$1,579.50	Mansura Livestock Auction, LLC	Stacy Martin	\$51.30
12/08/2010	95	\$38,810.68	Mansura Livestock Auction, LLC	Martin Family Farm	\$430.80

IV.

By reason of the facts alleged in paragraphs II and III herein, Respondent has 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 engaging in operations subject to the Act without maintaining an adequate bond or bond equivalent.

WHEREFORE, it is hereby ordered that this Complaint shall be served upon Respondent for the purpose of determining whether Respondent has willfully violated the Act. Respondent shall 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.). Failure to file an answer shall constitute an admission of all the material allegations in this Complaint.

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

1. That unless Respondent fails to file an answer within the time allowed therefore, or files an answer admitting all the material allegations in 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 requiring Respondent to cease and desist from the violations found to exist and assessing such civil penalties as are authorized by the Act and warranted under the facts and circumstances of this case.

Done at Washington, D.C.

this 22 day of December 2011



Alan R. Christian
Deputy Administrator
Packers and Stockyards Program

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