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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) P. & S. Docket No. D-08-0091
Hatfield Quality Meats, Inc.,)
Respondent) Decision Without Hearing
) by Reason of Consent

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 et seq.), hereinafter "the Act", by a Complaint and Notice to Show Cause filed by the Deputy Administrator, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture, alleging that the Respondent wilfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*). This decision is entered pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in paragraph 1 of the Complaint and Notice of Hearing and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

Complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Hatfield Quality Meats, Inc., hereinafter referred to as "Respondent", is a Pennsylvania corporation whose principal place of business is located at 2700 Funks Road, Hatfield, PA19440-0902, and whose business mailing address is P. O. Box 902, Hatfield, PA

19440-0902.

2. Respondent is and at all times material herein was:

(a) Engaged in the business of a packer, buying livestock in commerce for the purpose of slaughter and manufacturing or preparing meats or meat food products for sale or shipment in commerce.

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

Conclusions

Respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

Respondent Hatfield Quality Meats, Inc., its officers, directors, agents and employees, successors and assigns, directly, or through any corporate or other device, in connection with its operations as a packer, shall cease and desist from:

1. Failing to pay the full and correct amounts for livestock as required under its carcass merit program in effect at the time of purchase and slaughter; and
2. Issuing settlement and payment for livestock purchased under its carcass merit program without first confirming that all specified changes in its carcass merit program had been made on the date provided in the written notices given to its hog producers.

In accordance with section 203(b) of the Act (7 U.S.C. § 193(b)), Respondent Hatfield Quality Meats, Inc., is assessed a civil penalty of \$40,000.00.

The provisions of this Order shall become effective on the sixth day after service of this

order on the Respondents.

Copies of this decision shall be served upon the parties.

HATFIELD QUALITY MEATS, INC.

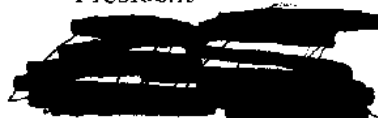
Respondent

By:



DOUGLAS C. CLEMENS

President



DAVID L. DURKIN

OLSSON FRANK WEEDA TERMAN BODE MATZ P.C.

Attorneys for Respondent



ERIC PAUL

Attorney for Complainant

Issued this ^{25th} day of November, 2008



Administrative Law Judge