

**GIPSA
Press
Release**

United States
Department of
Agriculture

Grain Inspection,
Packers and
Stockyards
Administration

STOP 3601
1400 Independence Ave., SW
Washington, D.C.
20250-3601

GIPSA Release 79-12

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**GIPSA Alleges New Wilmington Livestock Auction, Inc.
and Thomas R. Skelton Violated the Packers and Stockyards Act**

WASHINGTON, Mar. 29, 2012 – The U.S. Department of Agriculture’s Grain Inspection, Packers and Stockyards Administration (GIPSA) has found evidence that New Wilmington Livestock Auction, Inc. (New Wilmington) and Thomas R. Skelton (Skelton), New Wilmington, Pa.:

- failed to properly maintain its custodial account; and
- failed to deposit in the firm’s custodial account, within the time prescribed by the regulations, an amount equal to the proceeds receivable from sales of consigned livestock. This was due to withdrawal from their custodial account for purposes other than: (1) payment of the net proceeds to the consignor or shipper, or to any person that the market agency knows is entitled to payment; (2) to pay lawful charges against the consignment of livestock which the market agency shall, in its capacity as agent, be required to pay; or (3) to obtain any sums due the market agency as compensation for its services.

GIPSA filed a complaint against New Wilmington and Skelton on February 17, 2012. The complaint can be found on the GIPSA website: <http://www.gipsa.usda.gov/psp/enforcement.html>. If the allegations are admitted, or proven in an oral hearing, New Wilmington and Skelton may be ordered to cease and desist from violating the Packers and Stockyards (P&S) Act, suspended, and assessed a civil penalty.

New Wilmington under the direction, management, and control of Skelton was engaged in the business of conducting and operating a posted stockyard; was a market agency selling livestock in commerce on a commission basis, and is registered with the Secretary of Agriculture.

Skelton was 100% owner and president of New Wilmington and was responsible for the day-to-day direction, management and control of New Wilmington.

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The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

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