

**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 09-12

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**USDA Orders Ark-Mo Livestock Auction, LLC,
Kent E. O'Neal and Janet L. O'Neal to Cease and Desist**

WASHINGTON, Jan. 12, 2012 – The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) entered into a consent decision with Ark-Mo Livestock Auction, LLC, Kent E. O'Neal and Janet L. O'Neal, Harviell, Mo. (the respondents), on January 6, 2012. The respondents have been ordered to cease and desist from:

- failing to maintain and properly use their custodial account for shippers' proceeds;
- purchasing livestock and failing to pay, within the time period required by the Packers and Stockyards (P&S) Act, the full purchase price for livestock.
- issuing checks in payment for livestock without having and maintaining sufficient funds on deposit and available in the account upon which they are drawn.

The respondents are not to be registered to engage in any business subject to the P&S Act for a period of 5 years.

The consent decision resolves charges that were filed on December 13, 2011, in which GIPSA alleged that the respondents:

- had current liabilities that exceeded their assets;
- failed to maintain and properly use their custodial account for shippers' proceeds;
- sold livestock on a commission basis in commerce and deposited the proceeds into their general account and failed to reimburse their custodial account;
- issued checks that were returned unpaid after transferring money from their general account into their custodial account;
- issued checks drawn from their custodial account for purposes other than what their custodial account is to be used for; and
- purchased livestock and failed to pay, within the time period required by the P&S Act, the full purchase price for livestock.

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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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