

**In re: JSG TRADING CORP.; GLORIA AND TONY ENTERPRISES, d/b/a/
G&T ENTERPRISES; ANTHONY GENTILE; AND ALBERT
LOMORIELLO, JR., d/b/a HUNTS POINT PRODUCE CO.**

PACA Docket No. D-94-0508.

**In re: GLORIA AND TONY ENTERPRISES, d/b/a G&T ENTERPRISES,
AND ANTHONY GENTILE.**

PACA Docket No. D-94-0526.

Stay Order as to JSG Trading Corp. filed January 27, 2000.

Andrew Y. Stanton, for Complainant.
Richard M. Adler, Washington, DC, for Respondent.
Order issued by William G. Jenson, Judicial Officer.

On November 29, 1999, I issued a Decision and Order on Remand as to JSG Trading Corp.: (1) concluding that JSG Trading Corp. [hereinafter Respondent] committed willful, flagrant, and repeated violations of the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. §§ 499a-499s) [hereinafter the PACA]; and (2) revoking Respondent's PACA license. *In re JSG Trading Corp.* (Decision and Order on Remand as to JSG Trading Corp.), 58 Agric. Dec. ___, slip op. at 78 (Nov. 29, 1999).

On January 21, 2000, the Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture [hereinafter Complainant], filed Motion for a Stay Order as to Respondent JSG Trading Corp. [hereinafter Motion for Stay Order] requesting a stay of the November 29, 1999, Order revoking Respondent's PACA license, pending the outcome of proceedings for judicial review. On January 24, 2000, the Hearing Clerk transmitted the record of this proceeding to the Judicial Officer for a ruling on Complainant's Motion for Stay Order.

Complainant states that on January 13, 2000, Respondent filed a Petition for Review of *In re JSG Trading Corp.* (Decision and Order on Remand as to JSG Trading Corp.), 58 Agric. Dec. ___ (Nov. 29, 1999), with the United States Court of Appeals for the District of Columbia Circuit and that Complainant's "counsel has been informed by [c]ounsel for JSG that it also desires a stay of the November 29, 1999, Order" (Motion for Stay Order). Failure to issue a stay order may result in revocation of Respondent's PACA license during proceedings for judicial review. Therefore, in accordance with 5 U.S.C. § 705, I find justice requires postponement of the effective date of the November 29, 1999, Order revoking Respondent's PACA license.

Complainant's Motion for Stay Order is granted. The Order issued in *In re JSG Trading Corp.* (Decision and Order on Remand as to JSG Trading Corp.), 58 Agric. Dec. ___ (Nov. 29, 1999), is hereby stayed pending the outcome of proceedings for judicial review.

This Stay Order shall remain effective until it is lifted by the Judicial Officer or

vacated by a court of competent jurisdiction.
