

In re: WILLIAM D. EDWARDS, JR.
FCIA Docket No. 02-0003.
Decision and Order.
Filed August 27, 2002.

FCIA – Default – Fraud, insurance.

Donald Brittenham, for Complainant.
Andy W. Gay, for Respondent.

Decision and Order issued by Jill S. Clifton, Administrative Law Judge.

Pursuant to section 1.136(c) of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary, failure of Respondent, William D. Edwards, Jr., to file an Answer within the time provided is deemed an admission of the allegations contained in the Amended Complaint. Since the allegations in paragraphs I and II of the Amended Complaint are deemed admitted, it is found that Respondent has willfully and intentionally provided false or inaccurate information to the Federal Crop Insurance Corporation or to the insurer with respect to an insurance plan or policy under the Federal Crop Insurance Act (Act). (7 U.S.C. 1515 (h)).

It is further found that, pursuant to section 515 of the Act (7 U.S.C. 1515), Respondent is disqualified from receiving any monetary or nonmonetary benefit provided under each of the following for a period of 2 crop years:

- (i) The Federal Crop Insurance Act (7 U.S.C. 1501 *et seq.*).
- (ii) The Agricultural Market Transition Act (7 U.S.C. 7201 *et seq.*), including the noninsured crop disaster assistance program under section 196 of that Act (7 U.S.C. 7333).
- (iii) The Agricultural Act of 1949 (7 U.S.C. 1421 *et seq.*).
- (iv) The Commodity Credit Corporation Charter Act (15 U.S.C. 714 *et seq.*).
- (v) The Agricultural Adjustment Act of 1938 (7 U.S.C. 1281 *et seq.*).
- (vi) Title XII of the Food Security Act of 1985 (16 U.S.C. 3801 *et seq.*).
- (vii) The Consolidated Farm and Rural Development Act (7 U.S.C. 1921 *et seq.*).
- (viii) Any law that provides assistance to a producer of an agricultural commodity affected by a crop loss or a decline in the prices of agricultural commodities.

The period of disqualification shall be effective 35 days after this decision is served on Respondent unless there is an appeal to the Judicial Officer within 30

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days after service pursuant to § 1.145 of the Rules of Practice, 7 C.F.R. § 1.145.

If the period of disqualification would commence after the beginning of the crop year, and Respondent has a crop insurance policy in effect, disqualification will commence at the beginning of the following crop year and remain in effect for the entire period specified in this decision.

[This Decision and Order became final October 10, 2002.-Editor]
