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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	OFPA Docket No. 12-0395
	)	
Lindsey Citrus Management, Inc., d/b/a	)	
BEC AG Services, Inc.,	)	Consent Decision
Robert J. Lindsey, Sr., and Lynn B. Lindsey	)	and Order
	)	
Respondents.	)	

This proceeding was instituted under the Organic Foods Production Act of 1990, as amended, 7 U.S.C. 6501-6522 (OFPA), alleging that the respondents willfully violated the National Organic Program Regulations issued thereunder, 7 C.F.R. §§ 205.1-205.699 (NOP Regulations). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondents admit the jurisdictional allegations as set forth herein and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations of the complaint, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Conclusions

1. Lindsey Citrus Management, Inc., doing business as BEC AG Services, Inc., hereinafter referred to as respondent, is a corporation whose mailing address is 15675 Orange Avenue, Ft. Pierce, Florida 34945, and whose registered agent for service of process is respondent Robert J. Lindsey.

2. Robert J. Lindsey, Sr., hereinafter referred to as respondent, is an individual and

*VERO BEACH, FLORIDA 32908*  
*7300 47th St*  
*BWK*

President of Lindsey Citrus Management Inc., whose mailing address is 6585 12<sup>th</sup> Street, Vero Beach, Florida 32966.

3. Lynn B. Lindsey, hereinafter referred to as respondent, is an individual and Vice President of Lindsey Citrus Management, Inc., whose mailing address is 6585 12<sup>th</sup> Street, Vero Beach, Florida 32966.

4. At all times material hereto, respondents were engaged in business as a certified organic producer, crop operation, as defined in the OFPA, and became a certified operation on January 15, 2004, pursuant to an organic certificate issued by the Oregon Tilth Certified Organic (OTCO), an accredited certification agent of the United States Department of Agriculture. On April 29, 2002, OTCO was accredited by USDA as a certifying agent under the NOP Regulations.

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

#### Order

1. Respondents, their agents and employees, successors and assigns, directly or through any corporate or other device, shall not violate the OFPA and the NOP Regulations promulgated thereunder.

The provisions of this order shall become effective upon issuance of this Order.

 BWK

Copies of this decision shall be served upon the parties.

[Redacted]

Lindsey Citrus Management, Inc.,  
d/b/a BEC AG Services, Inc.  
Respondent

[Redacted]

Robert Lindsey  
Respondent

[Redacted]

Lynn B. Lindsey  
Respondent

[Redacted]

Buren W. Kidd  
Attorney for Complainant

Done at Washington, D.C.

this 21<sup>st</sup> day of February 2013

[Redacted]

Administrative Law Judge

JANICE K. BULLARD