



UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) OFPA Docket No. 13-0038
)
)
Guillermo de la Vega Canelos, d/b/a)
Avance Regional Agroindustrial, S.A. de C.V.,)
and Agrozucar, S.A. de C.V.,)
)
) Consent Decision
Respondents.) and Order

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. Avance Regional Agroindustrial, S.A. de C.V., and Agrozucar, S.A. de C.V., are corporations, hereinafter referred to as Respondents, whose mailing address for both corporations is Calzada Almada S/N, Navolato, Sinaloa 80370, Mexico. Guillermo de la Vega Canelos is part-owner and manager of both corporations.

2. At all times material hereto, Respondents were engaged in business as certified operations respectively as defined in the OFPA, and both became certified operations on April 29, 2002, pursuant to an organic certificate issued by Quality Assurance International (QAI), an accredited certification agent of the United States Department of Agriculture. On April 29, 2002, QAI 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 issued thereunder.

2. Respondents agree to two unannounced inspections at the respondents' expense over the next two years. These two unannounced inspections will be conducted in addition to the required annual inspections.

The provisions of this order shall become effective upon issuance.



Copies of this decision shall be served upon the parties.

[Redacted]

Avance Regional Agroindustrial, S.A. de C.V.
Respondent

[Redacted]

Agrozucar, S/A. de C.V.
Respondent

[Redacted]

Darren W. Kidd
Attorney for Complainant

Done at Washington, D.C.

this 21 day of June, 2013

[Redacted]

Administrative Law Judge

Janice K. Bullard