

1 UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) P & S Docket No. D-13-0377
) P & S Docket No. D-13-0378
Leader Meret Halal)
Meat Corp. and)
Murat Gumus,)
)
)
Respondents) Consent Decision

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.), (the Act), by a Complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture, alleging that Respondents willfully violated the Act. 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).

Respondents admit the jurisdictional allegations in paragraph I of the Complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, 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.

Complainant agrees to the entry of this decision.

Findings of Fact

(a) Leader Meret Halal Meat Corp, herein referred to as Respondent Corporation, is a

corporation organized and existing under the laws of the State of New York.
Respondent

Corporation's business mailing address is 4702 3rd Avenue, Brooklyn, NY 11220.

(b) Murat Gumus, herein referred to as Respondent (Gummus), is an individual who served as 100% owner of Respondent Corporation at all times material herein.

(c) Respondents, at all times material herein, were:

1. Engaged in the business of buying livestock in commerce for the purposes of slaughter and manufacturing or preparing meats or meat products for sale or shipment in commerce; and

2. Operating as a packer within the meaning of and subject to the provisions of the Act.

Conclusions

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

Order

1. Respondents, their agents and employees, directly or through any corporate or other device, in connection with activities subject to the Act, shall cease and desist from:
 - a. failing to pay, when due, the full purchase price of livestock as required by sections 202(a) and 409 of the Act (7 U.S.C. §§192(a) and 228b).
 - b. engaging in operations subject to the Act without maintaining an adequate bond or bond equivalent as required by section 201.29 of the regulations (9 C.F.R. § 201.29); and
 - c. issuing checks in payment for livestock purchases with insufficient funds in contravention of sections 202(a) and 409 of the Act (7 U.S.C. §§192(a) and 228b).

2. In accordance with section 312(b) of the Act (7 U.S.C. 213(b)), Respondents are hereby assessed a civil penalty of \$7,500.00 of which \$3,500.00 is payable to Complainant immediately and the remaining \$4,000.00 will be payable to Complainant in accordance with the Understanding Regarding Civil Penalty Payment Terms.

The provisions of this Order shall become effective on the sixth day after service of this Order on the Respondents.

Copies of this Decision shall be served upon the parties.

Issued in Washington D.C.

this 28 day of April, 2014

[Redacted Signature]

Administrative Law Judge

Jill S. Clifton

[Redacted Signature]

Murat Gumus,
100% Owner of Respondent Corporation

[Redacted Signature]

Michael Kiran, Esq.,
Counsel for Respondents

[Redacted Signature]

Brian R. Sylvester, Esq.,
Counsel for Complainant