

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) P & S Docket No. 14-0183
)
Sun-Jon, Inc., d/b/a Iowa Poultry,)
)
Respondent) 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 the respondent willfully violated the Act and the regulations issued thereunder (9 C.F.R. § 201.1 *et seq.*). 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 respondent admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, 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.

Findings of Fact

1. Sun-Jon, Inc., hereinafter referred to as the respondent, is a business incorporated in the State of Illinois and located at 5195 520th Street, S.W., Kalona, Iowa 52247.
2. Respondent at all times material herein, was engaged in the business as a live poultry dealer in the State of Iowa.

Conclusions

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

Order

The respondent, his agents and employees, directly or through any corporate or other device, in connection with activities subject to the Act, shall do the following:

1. Respondent shall cease and desist from paying growers not in accordance with the Packers and Stockyards Act. Respondent, as a live poultry dealer, shall pay live poultry growers in accordance with 7 U.S.C. § 228b-1(a) of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*). Each live poultry dealer obtaining live poultry by purchase in a cash sale shall, before the close of the next business day following the purchase of poultry, and each live poultry dealer obtaining live poultry under a poultry growing arrangement shall, before, the close of the fifteenth day following the week in which the poultry is slaughtered, deliver, to the cash seller or poultry grower from whom such live poultry dealer obtains the poultry, the full amount due to such cash seller or poultry grower on account of such poultry.
2. Respondent is not assessed a civil penalty as the business is currently not in operation. If respondent resumes operations and violates this Consent Decision, the parties agree that respondent may be subject to civil penalties after notice and opportunity for hearing.
3. The provisions of this order shall become effective on the sixth day after service of

this order on respondent.

Copies of this decision shall be served upon the parties.

Sun-Jon, Inc. d/b/a Iowa Poultry, Respondent

[Redacted Signature]

Rashid Chaudary, President

Date: 9-15-14

[Redacted Signature]

Tracey Manoff
Attorney for Complainant

Date: 9-18-14

Issued in Washington, D.C.

This 19th day of September, 2014

[Redacted Signature]

Administrative Law Judge