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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)	P & S Docket No. D-17-0225
)	
Darrell Bouma,)	
)	
)	
)	Decision Without Hearing
Respondent)	By Reason of Consent

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*) (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 promulgated thereunder (9 C.F.R. § 201.1 *et seq.*) (regulations). This consent decision is entered pursuant to the consent decision provision of the Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statues (7 C.F.R. § 1.138) (Rules of Practice).

Respondent admits the findings of fact, as set forth herein, and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, waives all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees and other expenses incurred by Respondent in connection with this proceeding or any action against any USDA employee in their individual capacity.

Complainant agrees to the entry of this Consent Decision and Order.

Findings of Fact

1. Darrell Bouma (Respondent) is an individual with a mailing address in the state of [REDACTED]. The address will not be stated in the Consent Decision to protect the privacy of the Respondent, but will be provided to the Hearing Clerk's Office, United States Department of Agriculture, for the purpose of service of this Consent Decision.
2. At all times material herein, Respondent was:
 - a. Engaged in the business of buying and selling livestock in commerce as for his own account or for the account of others, and engaged in the business of a market agency, buying livestock in commerce on a commission basis; and
 - b. Registered with the Secretary as a market agency and dealer.

Conclusion

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

Order

Respondent Darrell Bouma, his agents and employees, directly or through any corporate or other device, in connection with his operations subject to the Act, shall cease and desist from:

1. engaging in operations subject to the Act without registering with the Secretary or maintaining an adequate bond as required by section 312(a) of the Act (7 U.S.C. § 213(a)), and sections 201.29 and 201.30 of the Regulations (9 C.F.R. §§ 201.29, 201.30); and
2. failing to pay the full amount of the purchase price for livestock within the time

period required by the Act and the regulations promulgated under it.

Pursuant to section 303 of the Act, Respondent is prohibited from carrying on the business of a market agency or dealer without being registered and is prohibited from being registered under the Act for a period of five (5) years. However, Respondent may apply to the Packers and Stockyards Division for a supplemental order terminating the suspension upon demonstration to the Packers and Stockyards Division, Agricultural Marketing Service, Fair Trade Practices Program, by Respondent that all unpaid livestock sellers identified in the Complaint have been paid in full and that Respondent has been properly bonded.

This Order shall have the same force and effect as if entered after full hearing. The provisions of this Order shall become final and effective upon issuance (7 C.F.R. § 1.138).

Copies of this decision and order shall be served upon the parties.

Done at Washington, D.C.

this 12th day of June, 2018

[Redacted signature area]

Acting Chief Administrative Law Judge

Channing D. Stratner

[Redacted signature area]

Darrell Bouma
Respondent

[Redacted signature area]

Ciarra A. Toomey
Attorney for Complainant