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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:

)	OFFPA Docket Nos. 14-0068
)	14-0069
)	
Reinhold and Milton Heyde, d/b/a)	
Heyde Farm,)	
)	
Respondents.)	Consent Decision
)	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, as well as all remaining alleged violations which may have occurred on or before the effective date of this decision, and for such purposes only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Conclusions

1. Reinhold and Milton Heyde are individuals doing business as Heyde Farm, hereinafter referred to as respondents, whose mailing address is (b) (6)

(b) (6)

2. At all times material hereto, respondents were engaged in business as a certified organic operation, as defined in the OFPA, and became a certified operation pursuant to an organic certificate issued by the Global Organic Alliance, Inc., (GAO), an accredited certifying agent of the United States Department of Agriculture.

The Respondent 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 cease and desist from violating the OFPA and the NOP Regulations issued thereunder.

2. Respondents' organic certification and the organic certification for all responsibly connected persons is suspended for a period of one year. This one-year suspension shall begin on December 31, 2015, and continue until December 30, 2016.

3. Respondents shall cease and desist from selling, labeling, or representing any agricultural product as having been produced or handled using organic methods between December 31, 2015, and December 30, 2016, and thereafter not until the Respondents have been successfully reinstated as an organic producer or handler under the OFPA and the USDA organic regulations.

The provisions of this order shall become effective upon issuance.

Copies of this decision shall be served upon the parties.

[Redacted]

d/b/a Heyde Farm

Milton Heyde, d/b/a Heyde Farm
Respondent

[Redacted]

d/b/a Heyde Farm

Reinhold Heyde, d/b/a Heyde Farm
Respondent

[Redacted]

Buren W. Kidd
Attorney for Complainant

Done at Washington, D.C.

this 8th day of October, 2015

[Redacted]

Administrative Law Judge
JANICE K BULLARD