

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) PACA Docket No. D-03-0026
)
G & T Terminal Packaging)
Co., Inc., and Tray-Wrap, Inc.,)
)
Respondents) **Stay Order**

On September 8, 2005, I issued a Decision and Order concluding G & T Terminal Packaging Co., Inc., and Tray-Wrap, Inc. [hereinafter Respondents], violated the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. §§ 499a-499s) [hereinafter the PACA] and revoking Respondents' PACA licenses.¹

On October 18, 2005, Respondents filed a petition for review of *In re G & T Terminal Packaging Co.*, 64 Agric. Dec. ____ (Sept. 8, 2005), with the United States Court of Appeals for the Second Circuit. On November 29, 2005, Eric Forman, Associate Deputy Administrator, Fruit and Vegetable Programs, Agricultural Marketing Service, United States Department of Agriculture [hereinafter Complainant], filed a Motion for Stay requesting a stay of the Order in *In re G & T Terminal Packaging Co.*, 64 Agric. Dec. ____ (Sept. 8, 2005), pending the outcome of proceedings for judicial review. On

¹*In re G & T Terminal Packaging Co.*, 64 Agric. Dec. ____, slip op. at 37 (Sept. 8, 2005).

December 1, 2005, Respondents informed the Office of the Judicial Officer, by telephone, that they have no objection to Complainant's Motion for Stay.

In accordance with 5 U.S.C. § 705, Complainant's Motion for Stay is granted.

For the foregoing reasons, the following Order should be issued.

ORDER

The Order in *In re G & T Terminal Packaging Co.*, 64 Agric. Dec. ____ (Sept. 8, 2005), is stayed pending the outcome of proceedings for judicial review. This Stay Order shall remain effective until lifted by the Judicial Officer or vacated by a court of competent jurisdiction.

Done at Washington, DC

December 1, 2005

William G. Jenson
Judicial Officer