

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	I & G Docket No. 04-0001
)	
Lion Raisins, Inc., a California)	
corporation; Lion Raisin)	
Company, a partnership or)	
unincorporated association;)	
Lion Packing Company,)	
a partnership or unincorporated)	
association; Alfred Lion, Jr., an)	
individual; Daniel Lion, an)	
individual; Jeffrey Lion, an)	
individual; Bruce Lion, an)	
individual; Larry Lion, an)	
individual; and Isabel Lion, an)	
individual,)	Modified Order as to
)	Lion Raisins, Inc.; Alfred Lion, Jr.;
)	Daniel Lion; Jeffrey Lion; and
Respondents)	Bruce Lion

I issued *In re Lion Raisins, Inc.* (Decision as to Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion), __ Agric. Dec. ____ (Apr. 17, 2009), in which I debarred Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion [hereinafter referred to collectively as Lion Raisins] from receiving inspection services under the Agricultural Marketing Act of 1946, as amended, and the regulations governing inspection and certification of processed fruits and vegetables. Lion Raisins filed a

petition to reconsider the April 17, 2009, decision, and, subsequently, I issued *In re Lion Raisins, Inc.* (Order Denying Pet. to Reconsider as to Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion), __ Agric. Dec. ____ (Jan. 6, 2010).

Lions Raisins filed a motion requesting that I stay my April 17, 2009, and January 6, 2010, Orders, pending the outcome of proceedings for judicial review, which I granted. *In re Lion Raisins* (Stay Order as to Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion), __ Agric. Dec. ____ (Mar. 10, 2010). On June 24, 2010, proceedings for judicial review were concluded with the issuance of United States District Court Judge Oliver W. Wanger's order dismissing Lion Raisins' appeal upon joint stipulation of the parties. On September 1, 2010, Lion Raisins and the Agricultural Marketing Service, United States Department of Agriculture [hereinafter AMS], filed a Joint Petition to Modify Order requesting that I modify my April 17, 2009, and January 6, 2010, Orders.

Lion Raisins and AMS' Joint Petition to Modify Order is granted. Accordingly, the March 10, 2010, stay order is lifted and the Orders in *In re Lion Raisins, Inc.* (Decision as to Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion), __ Agric. Dec. ____ (Apr. 17, 2009), and *In re Lion Raisins, Inc.* (Order Denying Pet. to Reconsider as to Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion), __ Agric. Dec. ____ (Jan. 6, 2010), are modified, as agreed to by Lion Raisins and AMS, as follows.

MODIFIED ORDER

Lion Raisins, Inc., and its agents, officers, subsidiaries, and affiliates; Alfred Lion, Jr.; Bruce Lion; Daniel Lion; and Jeffrey Lion are debarred from receiving inspection services under the Agricultural Marketing Act (AMA) and regulations for a period of one year, which shall be held in abeyance as a probationary period to ensure compliance with the Settlement Agreement entered into by the Agricultural Marketing Service and Lion Raisins on June 1, 2010, and with the AMA and the regulations thereunder. If during the probationary period Lion Raisins is found, after notice and opportunity for hearing, consistent with the Rules of Practice, 7 CFR §1.130 *et seq.*, and completion of judicial review, to have violated the AMA or the regulations issued thereunder, then the one year debarment period held in abeyance will become effective upon the issuance of a final order. Any such debarment period shall be in addition to any other remedy imposed as a result of such violation or violations.

This Modified Order shall become effective immediately upon service of the Modified Order on Lion Raisins.

Done at Washington, DC

September 2, 2010

William G. Jenson
Judicial Officer