

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	PACA Docket No. D-02-0023
B.T. Produce Co., Inc.,	)	
	)	
Respondent	)	
	and	
In re:	)	PACA Docket No. APP-03-0009
Louis R. Bonino,	)	
	)	
Petitioner	)	
	and	
In re:	)	PACA Docket No. APP-03-0011
Nat Taubenfeld,	)	
	)	
Petitioner	)	<b>Order Lifting Stay Order</b>

On May 4, 2007, I issued a Decision and Order: (1) concluding B.T. Produce Co., Inc. [hereinafter B.T. Produce], violated the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. §§ 499a-499s) [hereinafter the PACA]; (2) revoking B.T. Produce’s PACA license; (3) concluding Petitioner Louis R. Bonino and Petitioner Nat Taubenfeld were responsibly connected with B.T. Produce when B.T. Produce violated the PACA; and (4) subjecting Petitioner Louis R. Bonino and Petitioner Nat

Taubenfeld to the licensing restrictions under section 4(b) of the PACA and the employment restrictions under section 8(b) of the PACA (7 U.S.C. §§ 499d(b), 499h(b)).<sup>1</sup>

On July 3, 2007, in response to a request by B.T. Produce, Petitioner Louis R. Bonino, and Petitioner Nat Taubenfeld, I stayed *In re B.T. Produce Co.*, 66 Agric. Dec. 774 (2007), pending the outcome of proceedings for judicial review.<sup>2</sup> On August 4, 2009, the Chief and the Agricultural Marketing Service filed a Motion To Lift Stay Order. No response was filed in opposition to the Motion To Lift Stay Order, and, on September 1, 2009, the Hearing Clerk transmitted the record to me for a ruling on the Motion To Lift Stay Order.

Proceedings for judicial review are concluded. No objection to the Motion To Lift Stay Order has been filed. Therefore, the July 3, 2007, Stay Order is lifted and the order issued in *In re B.T. Produce Co.*, 66 Agric. Dec. 774 (2007), is effective, as follows.

### **ORDER**

1. B.T. Produce has committed willful, flagrant, and repeated violations of section 2(4) of the PACA (7 U.S.C. § 499b(4)). B.T. Produce's PACA license is revoked, effective 60 days after service of this Order on B.T. Produce.

2. I affirm the Chief's March 31, 2003, determination that Louis R. Bonino was responsibly connected with B.T. Produce when B.T. Produce willfully, flagrantly,

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<sup>1</sup>*In re B.T. Produce Co.*, 66 Agric. Dec. 774 (2007).

<sup>2</sup>*In re B.T. Produce Co.* (Stay Order), 66 Agric. Dec. 1527 (2007).

and repeatedly violated section 2(4) of the PACA (7 U.S.C. § 499b(4)). Accordingly, Louis R. Bonino is subject to the licensing restrictions under section 4(b) of the PACA and the employment restrictions under section 8(b) of the PACA (7 U.S.C. §§ 499d(b), 499h(b)), effective 60 days after service of this Order on Louis R. Bonino.

3. I affirm the Chief's March 31, 2003, determination that Nat Taubenfeld was responsibly connected with B.T. Produce when B.T. Produce willfully, flagrantly, and repeatedly violated section 2(4) of the PACA (7 U.S.C. § 499b(4)). Accordingly, Nat Taubenfeld is subject to the licensing restrictions under section 4(b) of the PACA and the employment restrictions under section 8(b) of the PACA (7 U.S.C. §§ 499d(b), 499h(b)), effective 60 days after service of this Order on Nat Taubenfeld.

Done at Washington, DC

September 2, 2009

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William G. Jenson  
Judicial Officer