

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,)	Stay Order as to Lion Raisins, Inc.;
)	Alfred Lion, Jr.; Daniel Lion;
Respondents)	Jeffrey Lion; and 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 the Lions] from receiving inspection services under the Agricultural Marketing Act of 1946, as amended (7 U.S.C. §§ 1621-1632), and the regulations governing inspection and certification of processed fruits and vegetables (7 C.F.R. pt. 52). On July 27, 2009, the Lions filed a petition to reconsider the April 17, 2009, Decision as

to Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion.

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).

On February 16, 2010, the Lions filed “Respondents’ Motion to Stay Any Further Action by USDA Re the Judicial Officer’s Decision and Order as to Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion” [hereinafter Motion for Stay] requesting that I stay my April 17, 2009, and January 6, 2010, Orders pending the outcome of proceedings for judicial review.¹

On March 9, 2010, the Associate Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture [hereinafter the Administrator], filed “Complainant’s Response to ‘Respondents’ Motion to Stay Any Further Action by USDA Re the Judicial Officer’s Decision and Order as to Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion’” in which the Administrator opposed the Lions’ Motion for Stay.

¹The Lions’ Motion for Stay also states the Lions request a stay of “any further proceedings or decisions” pending the outcome of proceedings for judicial review and the caption of the Lions’ Motion for Stay indicates that the Lions seek a stay of “any further action by USDA” pending the outcome of proceedings for review. To the extent that the Lions’ Motion for Stay requests a stay of something other than the April 17, 2009, and January 6, 2010, Orders, the Lions’ Motion for Stay is denied.

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

For the foregoing reasons, the following Order is issued.

ORDER

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 stayed pending the outcome of proceedings for judicial review. This Stay Order as to Lion Raisins, Inc.; Alfred Lion, Jr.; Daniel Lion; Jeffrey Lion; and Bruce Lion shall remain effective until lifted by the Judicial Officer or vacated by a court of competent jurisdiction.

Done at Washington, DC

March 10, 2010

William G. Jenson
Judicial Officer