

**Instructions to Complete
Reparation Complaint
Form P&SP-5000**

If you believe that you have been harmed by the actions of any person or firm subject to the Packers and Stockyards Act, 1921, as amended and supplemented, then you may file a reparation complaint, in writing, within 90 days after you determine there is cause for action. This form is provided to you, as the complainant, to file the complaint, in writing.

Mail four copies of the completed form, with accompanying, supporting documentation, to the appropriate regional office of the Packers and Stockyards Program as listed below; retain a copy for your files. The states covered by each regional office are listed below its address.

Regional Offices of the Packers and Stockyards Program Grain Inspection, Packers and Stockyards Administration		
Eastern Regional Office Suite 230 75 Spring Street Atlanta, GA 30303-3308 Telephone: (404) 562-5840 FAX: (404) 562-5848 E-mail: PSPAtlantaGA.GIPSA@usda.gov	Western Regional Office 3950 Lewiston St., Suite 200 Aurora, CO 80011-1556 Telephone: (303) 375-4240 FAX: (303) 371-4609 E-mail: PSPDenverCO.GIPSA@usda.gov	Midwestern Regional Office Room 317 210 Walnut Street Des Moines, IA 50309-2110 Telephone: (515) 323-2579 FAX: (515) 323-2590 E-mail: PSPDesMoinesIA.GIPSA@usda.gov
States Covered	States Covered	States Covered
AL, AR, CT, DC, DE, FL, GA, LA, MA, MD, ME, MS, NC, NH, NJ, NY, PA, RI, SC, TN, VA, VT, WV	AK, AZ, CA, CO, HI, ID, KS, MT, NM, NV, OK, OR, TX, UT, WA, WY	IA, IL, IN, KY, OH, MI, MO, MN, ND, NE, SD, WI

If you have questions regarding completion of ANY portion of the reparation claim form, please contact the Regional Office in the area which you reside for assistance.

The claimant(s) must complete lines 1 through 8 and must sign line 9.

Line No.	Subject	Instruction
1	Name and Address of Complainant	Enter the name(s) and street, city, state, and zip code of each of the complainants wishing to file a complaint of reparation.
2	Name and Address of Respondent	Enter the name(s) and street, city, state, and zip code of the person(s) or firm(s) the complaint is being filed against. If you are naming more than one respondent, prepare an additional copy for each respondent.
3	Date of Transaction	Enter the date of the transaction upon which you based your complaint.
4	Amount Claimed	Enter the amount you are claiming as damages.
5	Location of Transaction	Enter the name and street, city, state, and zip code where the transaction took place.
6	Description of Transaction	Give a brief description of the events involving the transaction, including the alleged violation. All supporting documentation must be attached to the complaint.
7	Itemize Amount Claimed	Itemize the transaction(s) and give an explanation of how you calculated the amount of damages that you are claiming.
8	Date	Enter the date you sign the complaint.

Line No.	Subject	Instruction
9	Signature of Complainants	Each of the complainants must sign the complaint.

Sections 308 and 309 of the
Packers and Stockyards Act, 1921, as Amended and Supplemented
In Relevant Part

Section 308. Liability to individuals for violations; enforcement generally.¹

(a) If any person subject to this Act violates any of the provisions of this Act, or of any order of the Secretary under this Act, relating to the purchase, sale, or handling of livestock, the purchase or sale of poultry, or relating to any poultry growing arrangement or swine production contract, he shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of such violation.

(b) Such liability may be enforced either (1) by complaint to the Secretary as provided in section 309, or (2) by suit in any district court of the United States of competent jurisdiction; but this section shall not in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this Act are in addition to such remedies. (7 U.S.C. 209)

Section 309. Proceedings before Secretary for violations.

(a) COMPLAINT; RESPONSE; SATISFACTION OR INVESTIGATION. Any person complaining of anything done or omitted to be done by any stockyard owner, market agency, or dealer (hereinafter in this section referred to as the “defendant”) in violation of the provisions of sections 304, 305, 306, or 307, or of an order of the Secretary made under this title, may, at any time within ninety days after the cause of action accrues, apply to the Secretary by petition which shall briefly state the facts, whereupon the complaint thus made shall be forwarded by the Secretary to the defendant, who shall be called upon to satisfy the complaint, or to answer it in writing, within a reasonable time to be specified by the Secretary. If the defendant within the time specified makes reparation for the injury alleged to be done he shall be relieved of liability to the complainant only for the particular violation thus complained of. If the defendant does not satisfy the complaint within the time specified, or there appears to be any reasonable ground for investigating the complaint, it shall be the duty of the Secretary to investigate the matters complained of in such manner and by such means as he deems proper. (7 U.S.C. 210)

¹ Amended by acts of Congress, approved Sept. 13, 1976, Nov. 23, 1987, and May 13, 2002. NOTE: The full text of the Packer and Stockyards Act, 1921, as amended and supplemented is available on the USDA GIPSA web site (http://www.usda.gov/gipsa/lawsandregs/law/p&s_act.pdf).

U.S. DEPARTMENT OF AGRICULTURE
Grain Inspection, Packers and
Stockyards Administration
Packers and Stockyards
Program

REPARATION COMPLAINT
BEFORE THE SECRETARY OF AGRICULTURE

This form may be used to file complaint for reparation within 90 days after cause of action accrued in accordance with Section 309(a) of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. 210(a)).

1. Name(s) and Address(s) of Complainant(s)

v.

2. Name(s) and Address(s) of Respondent(s)

The following complaint is filed pursuant to section 309(a) of the Packers and Stockyards Act, 1921, as amended and supplemented. (7 U.S.C. 210(a)).

3. Date of Transaction: _____ 4. Amount Claimed: \$ _____

5. Name of Business and Address where transaction occurred:

6. Briefly describe the transaction involved, including the terms of the contract(s) or agreement(s) and the alleged violation(s). Attach all supporting documents and evidence.

7. Itemize and explain how you calculated amount claimed.

8. Date: _____ 9. Signature(s) of Complainant(s): _____

If space is insufficient, continue on separate paper and attach.

According to the Paperwork reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0580-0015. The time required to complete this information collection is estimated to average 1 hour 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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