

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE FAIR TRADE PRACTICES PROGRAM PACKERS AND STOCKYARDS DIVISION	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)).	

1a. Complainant Name	
1b. Complainant Address	
1c. Complainant Telephone	
1d. Complainant E-Mail	
2a. Defendant Name	
2b. Defendant Address	
2c. Defendant Telephone	

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	
5a. Name of Business where transaction occurred:	
5b. Address of Business where transaction occurred:	

6. Briefly describe the transaction involved, including the terms of the contract or agreement and the alleged violation. Attach all supporting documents and evidence. If space is insufficient, continue on additional page and attach.

7. Itemize and explain how you calculated the amount claimed.

8. Date	9. Name of Complainant
10. Signature of Complainant	11. Title, if applicable

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 is 0581-0308. The time required to complete this information collection is estimated to average 1.5 hours 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.

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information is also available in languages other than English.

To file a complaint alleging discrimination, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (a) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (b) fax: (202) 690-7442; or (c) email: program.intake@usda.gov.

**Instructions to Complete
Reparation Complaint
Form PSD 5000**

If you believe you have been harmed by the actions of the stockyard owner, market agency or dealer 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 the cause for action occurs.

Mail two (2) copies of the completed form with supporting documentation to the appropriate regional office of the Packers and Stockyards Division as listed below. Retain a copy for your files.

Submit the completed form and documentation to the regional office of the Packers and Stockyards Division as listed below. The states, provinces, and territories covered by each regional office are listed below its address.

Regional Offices of the Packers and Stockyards Division Agricultural Marketing Service, Fair Trade Practices Program		
Atlanta Regional Office 75 Ted Turner Drive SW, Ste 230 Atlanta, GA 30303-3308 Telephone: (404) 562-5840 FAX: (404) 562-5848 E-mail: PSDAtlantaGA@ams.usda.gov	Denver Regional Office 3950 Lewiston St., Suite 200 Aurora, CO 80011-1556 Telephone: (303) 375-4240 FAX: (303) 371-4609 E-mail: PSDDenverCO@ams.usda.gov	Des Moines Regional Office 210 Walnut Street, Room 317 Des Moines, IA 50309-2110 Telephone: (515) 323-2579 FAX: (515) 323-2590 E-mail: PSDDesMoinesIA@ams.usda.gov
States Covered	States Covered	States Covered
AL, AR, CT, DC, DE, FL, GA, LA, MA, MD, ME, MS, NC, NH, NJ, NL, NY, PA, PR, QC, RI, SC, TN, VA, VT, WV	AB, AK, AZ, BC, CA, CO, HI, ID, KS, MT, NM, NV, OK, OR, SK, TX, UT, WA, WY	IA, IL, IN, KY, MB, MI, MN, MO, ND, NE, OH, ON, SD, WI

Additional copies of the report may be obtained from the regional office covering your state, or on our website located at www.ams.usda.gov. All inquiries concerning any section or part of a section contained in the report can also be addressed to that regional office.

Line No.	Subject	Instructions
1 a,b,c,d	Name, Address, Phone and e-mail of Complainant	Enter the name and street, city, state and zip+4, phone and e-mail address of the complainant wishing to file a complaint of reparation.
2 a,b,c	Name, Address and Phone of Defendant	Enter the name and street, city, state and zip+4 and phone of the stockyard owner, market agency or dealer the complaint is being filed against.
3	Date of Transaction	Enter the date of the transaction upon which your based your complaint.
4	Amount Claimed	Enter the amount you are claiming as damages.
5a	Name of Business	Enter the name of the business where the transaction took place.
5b	Location of Transaction	Enter the street, city, state, zip+4 and phone of the business where the transaction took place.

Line No.	Subject	Instructions
6	Description of the transaction	Give a brief description of the events involving the transaction, including the alleged violation(s). All supporting documentation must be attached to the complaint.
7	Itemize Amount Claimed	Itemize the transaction 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
9	Name of Complainant	Enter the name of the complainant.
10	Signature	The complainant must sign the form.
11	Title	Enter the title of the complainant, if applicable.

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

(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 in this subchapter¹, or of an order of the Secretary made under this subchapter, 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.

¹ The phrase “this subchapter,” currently used twice by the U.S.C. in the first sentence of section 309 (7 U.S.C. 210), did not appear in the original statute. The original law referenced the provisions “of 304, 305, 306, or 307,” or of an order of the Secretary made under “this title.” However, judicial precedent supports the broader interpretation reflected by the use of “this subchapter” in the U.S.C., which means Title 333 of the Packers and Stockyards Act, 1921.