

adjudicatory, administrative proceedings under the Packers and Stockyards Act, as amended (7 U.S.C. 181 *et seq.*). In addition, the Supplemental Rules of Practice set forth in this part shall be applicable to such proceedings.

#### § 202.210 Stipulations.

(a) The Administrator may enter into a stipulation with any person operating subject to the Packers and Stockyards Act, as amended (P&S Act), prior to issuing a complaint that seeks a civil penalty against that person.

(1) The Administrator will give the person notice of an alleged violation of the P&S Act or regulations and provide an opportunity for a hearing;

(2) The person has the option to expressly waive the opportunity for a hearing and agree to pay a specified civil penalty within a designated time;

(3) The Administrator will agree to settle the matter by accepting payment of the specified civil penalty within a designated time;

(4) If the person does not agree to the stipulation, or does not pay the penalty within the specified time, the Administrator may issue an administrative complaint citing the alleged violation; and

(5) The civil penalty that the Administrator proposed in a stipulation agreement has no bearing on the civil penalty amount that may be sought in a formal administrative proceeding against the same person for the same alleged violation.

(b) [Reserved]

### PART 203—STATEMENTS OF GENERAL POLICY UNDER THE PACKERS AND STOCKYARDS ACT

Sec.

203.1 [Reserved]

203.2 Statement of general policy with respect to the giving by meat packers of meat and other gifts to Government employees.

203.3 [Reserved]

203.4 Statement with respect to the disposition of records by packers, live poultry dealers, stockyard owners, market agencies and dealers.

203.5 Statement with respect to market agencies paying the expenses of livestock buyers.

203.6 [Reserved]

203.7 Statement with respect to meat packer sales and purchase contracts.

203.8-203.9 [Reserved]

203.10 Statement with respect to insolvency; definition of current assets and current liabilities.

203.11 [Reserved]

203.12 Statement with respect to providing services and facilities at stockyards on a reasonable and nondiscriminatory basis.

203.13 [Reserved]

203.14 Statement with respect to advertising allowances and other merchandising payments and services.

203.15 Trust benefits under sections 206 and 207 of the Act.

203.16 Mailing of checks in payment for livestock purchased for slaughter, for cash and not on credit.

203.17 Statement of general policy with respect to rates and charges at posted stockyards.

203.18 Statement with respect to packers engaging in the business of custom feeding livestock.

203.19 Statement with respect to packers engaging in the business of livestock dealers or buying agencies.

AUTHORITY: 7 CFR 2.22 and 2.81.

#### § 203.1 [Reserved]

#### § 203.2 Statement of general policy with respect to the giving by meat packers of meat and other gifts to Government employees.

(a) In recent months, the Department has received information, confirmed by investigation, that a number of packers subject to the Packers and Stockyards Act have made gifts of meat to Government employees responsible for conducting service activities of the Department. Such gifts have the implications of fraud, even if not made specifically for the purpose of influencing these employees in the performance of their duties.

(b) It is a violation of the Meat Inspection Act for any person, firm, or corporation to give to any employee of the Department performing duties under such act anything of value with intent to influence such employee in the discharge of his duties, or for such employee to receive from any person, firm, or corporation engaged in interstate or foreign commerce any gift given with any intent or purpose whatsoever (21 U.S.C. 90). Under the Federal meat grading regulations, the giving or