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UNITED STATES DEPARTMENT OF AGRICULTURE 704 APR -7 AM 11: 08

BEFORE THE SECRETARY OF AGRICULTURE

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In re:)	AMAA Docket No. 04-0003
)	
MEDHAT MAHMOUD, an individual)	
doing business as MEDHAT)	
MAHMOUD PRODUCE, a sole)	
proprietorship; JOSE LUIS TORRES,)	
an individual, and; FERNANDO TORRES,)	
an individual doing business as TORRES)	
DATES, a sole proprietorship,)	
)	CONSENT DECISION
Respondents.)	AND ORDER

The Administrator of the Agricultural Marketing Service instituted this proceeding under the Agricultural Marketing Agreement Act of 1937, as amended, 7 U.S.C. § 601 *et seq.* (the "Act"), by filing a complaint alleging that the respondents Jose Luis Torres and Fernando Torres violated the Marketing Order for Domestic Dates Produced or Packed in Riverside County, California, 7 C.F.R. §§ 987.1-987.84 (the "Order"), and the rules and regulations issued there under ("Regulations"). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondents admit the jurisdictional allegations in the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Jose Luis Torres is an individual whose mailing address is 90-785 Avenue 81, Thermal, California 92274. At all times mentioned herein, respondent Jose Luis

Torres was an employee or agent of respondent Fernando Torres and was engaged in business as a handler of dates grown in Riverside County, California, and was subject to the Act, Order and Rules.

2. Respondent Fernando Torres is an individual doing business as Torres Dates, and whose mailing address is 90-785 Avenue 81, Thermal, California 92274. Torres Dates is a sole proprietorship located at the same address. At all times mentioned herein, respondent Fernando Torres, through one or more individuals named herein, was engaged in business as a handler of dates grown in Riverside County, California, and was subject to the Act, Order and Rules.

Conclusions

Respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Each of the respondents, and their agents and employees, directly or through any corporate or other device, shall comply with each and every provision of the Act and the Order, and shall cease and desist from any violation thereof.

2. Respondent Jose Luis Torres and Fernando Torres shall each pay \$1,000 in civil penalties to the Treasurer of the United States. The civil penalties shall be paid by a certified check(s) or money order(s) made payable to the Treasurer of United States and remitted to:

Bernadctte R. Juarez
U.S. Department of Agriculture
Office of the General Counsel
Marketing Division
1400 Independence Avenue, SW
Room 2343-South Building, Mail Stop 1417
Washington, D.C. 20250-1417

Respondents civil penalty payments shall be received by counsel for complainant on or before April 7, 2006.

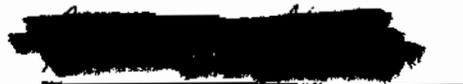
The provisions of this Order shall become effective on April 7, 2006. Copies of this decision shall be served upon the parties.


Jose Luis Torres
Respondent


Fernando Torres
Respondent


Bernadette R. Juarez
Attorney for Complainant

Done at Washington, D.C.
this 7th day of April, 2006


Marc R. Hillson
Chief Administrative Law Judge