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COMMISSIONER SID MILLER

Texas Department of Agriculture
HMPC Verified Complaint

RPC-405

Claim No. \_\_\_\_\_

Complainant VS. Respondent BEFORE THE COMMISSIONER OF AGRICULTURE STATE OF TEXAS

TO THE COMMISSIONER OF AGRICULTURE:

\_\_\_\_\_, Complainant, asserts a complaint against \_\_\_\_\_, Respondent, and provides the following information as the basis of the complaint:

I.

That at all times material hereto, Complainant was the producer or owner of \_\_\_\_\_, grown in the County(ies) of \_\_\_\_\_, within the State of Texas. Complainant had/has its principal place of business at \_\_\_\_\_, telephone number \_\_\_\_\_.

II.

That at all times material hereto, Respondent was licensed by the Texas Department of Agriculture under the name of \_\_\_\_\_ pursuant to the provisions of the Handling and Marketing of Perishable Commodities Act, Texas Agriculture Code, Chapter 101 and 103 as amended (hereinafter referred to as the "Act"), with a principal place of business at \_\_\_\_\_, telephone number \_\_\_\_\_.

III.

Complainant states under oath that Respondent, on about or during \_\_\_\_\_, violated the Act in that: \_\_\_\_\_

(Describe the alleged violation and attach all receipts, contracts, invoices, bills, etc. which may bear on the alleged violation.)

IV.

This document becomes public record and is subject to disclosure. With few exceptions, you have the right to request and be informed about the information that the State of Texas collects about you. You are entitled to receive and review the information upon request. You also have the right to ask the state agency to correct any information that is determined to be incorrect. (Reference: Government Code, Sections 552.021, 552.023, and 559.004.)

Legal Name of Business \_\_\_\_\_

Complainant states that such violation of the Act by Respondent has resulted from Respondent's violation of the terms and conditions of a contract between Complainant and Respondent and that such violation has caused Complainant to suffer losses that are compensable under the Act in the amount of \$\_\_\_\_\_.

WHEREFORE, Complainant prays that the Commissioner of Agriculture take the following actions, singularly or in any combination:

(1) call and hold a hearing for the purposes of investigating this complaint in the manner provided by law; and if the Commissioner and/or the Produce Recovery Fund Board determine that the claim of Complainant against Respondent be wholly or partially due and owing and Respondent shall refuse to pay same, that the Commissioner enter an order that such claim shall be satisfied from the Produce Recovery Fund, within the limits prescribed by law, in the amount that such claim is found to be due and owing;

(2) suspend or revoke the license or licenses of Respondent;

(3) pursue such remedies against Respondent as may be warranted by actions of Respondent; and

(4) make such other orders or decrees permitted by law and the Act.

NOTE: A filing fee of \$50.00 must be submitted with this complaint before the complaint will be accepted for filing. The filing of a false or malicious claim under the Handling and Marketing of Perishable Commodities Act is punishable by a fine of \$2,000 and/or confinement in jail for a period not to exceed 180 days.

Respectfully submitted,

\_\_\_\_\_  
Complainant

FILED with the Texas Department of Agriculture, Regulatory Division, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**NOTARY PUBLIC**

STATE OF TEXAS }

COUNTY OF \_\_\_\_\_ }

\_\_\_\_\_, being duly sworn, deposes and says: he or she is the Complainant in the above-referenced matter; he or she has read the complaint and states the contents of the same to be true, except as to those matters set forth upon information and belief, and that with respect to those matters, he or she believes the information to be true.

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature Notary Public in and for the State of Texas  
(Notary Public Seal)