



Texas Department of Agriculture
HMPC Verified Complaint

RPC-405

TODD STAPLES, COMMISSIONER

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

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

TO THE COMMISSIONER OF AGRICULTURE:

COMES NOW \_\_\_\_\_, complainant, complaining of \_\_\_\_\_, Respondent, and for reason why complaint is brought herein would show the following:

I.

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

II.

That at all times material herein the above-named Respondent was licensed by the Texas Department of Agriculture under the name of \_\_\_\_\_ under the provisions of the Handling and Marketing of Perishable Commodities Act, Texas Agriculture Code, Chapter 101 and 103 (1999) as amended, with a principal place of business at \_\_\_\_\_, telephone number \_\_\_\_\_.

III.

Complainant herein does solemnly swear that Complainant has reason to believe and does believe that Respondent, on about or during \_\_\_\_\_, violated the Handling and Marketing of Perishable Commodities Act in that: \_\_\_\_\_

(Attach all receipts, contracts, invoices, bills, etc. which may bear on alleged violation.)

IV.

Complainant avers that such violation of the Handling and Marketing of Perishable Commodities 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 aggrieved Complainant in the amount of \$ \_\_\_\_\_.

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 Business Name \_\_\_\_\_

WHEREFORE, Complainant prays that the Commissioner of Agriculture:

(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 shall determine that the claim of Complainant against Respondent be wholly or partially due and owing and Respondent shall refuse to remit 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 an owing;

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

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

(4) make such other orders or decrees as may be permitted by law as may be necessary and proper for the enforcement of the Handling and Marketing of Perishable Commodities Act, Texas Agriculture Code, Chapters 101 and 103 (1999) as amended.

NOTE: A filing fee of \$20 must be attached to this complaint before it may 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**NOTARY PUBLIC**

STATE OF TEXAS }

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

\_\_\_\_\_, being duly sworn, deposes and says: he is the complainant in the matter herein; that he has read the complaint appearing herein and knows the contents of the same to be true, except as to those matters therein set forth as upon his information and belief, and that as to those matters, he believes the information to be true.

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

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