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\$667K PACA violation for Florida company

November 24, 2021

The U.S. Department of Agriculture has filed an administrative complaint against American Fruit & Produce Corp. for alleged violations of the Perishable Agricultural Commodities Act. The company, operating from Florida, allegedly failed to make payment promptly to 21 produce sellers in the amount of \$667,214 from March 2019 through January 2021.

American Fruit & Produce Corp. will have an opportunity to request a hearing. Should USDA find that the company committed repeated and flagrant violations, it would be barred from the produce industry as a licensee for three years, or two years with the posting of a USDA-approved surety bond. Furthermore, its principals could not be employed by or affiliated with any PACA licensee for two years, or one year with the posting of a USDA-approved surety bond.

The PACA Division, which is in the Fair Trade Practices Program in the Agricultural Marketing Service, regulates fair trading practices of produce businesses that are operating subject to PACA, including buyers, sellers, commission merchants, dealers and brokers within the fruit and vegetable industry. In the past three years, USDA resolved approximately 3,500 PACA claims involving more than \$165 million. PACA staff also assisted more than 6,600 callers with issues valued at approximately \$169 million.

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