

DEPARTMENT OF FOOD AND AGRICULTURE
Market Enforcement Branch

VERIFIED COMPLAINT INSTRUCTION SHEET

Please review the following information carefully, as it will assist you in filing your complaint.

You may file a complaint against licensed dealers, brokers, commission merchants, processors, and cash buyers, or those who are subject to licensing under the Produce Dealers Act and/or Processors Law. A Verified Complaint may lead to Alternate Dispute Resolution (ADR). It also may lead to disciplinary action against a licensee if violations are proven to be repeated or flagrant.

Only a grower of California farm products or a licensee that handles California farm products may file a complaint. If the complaint involves fruits & vegetables or cattle, you must have received a written notice from PACA (Perishable Agricultural Commodities Act) or P & S (Packers and Stockyards) that you cannot file a complaint with their agency before you will be eligible to file with the Market Enforcement Branch. PACA, who is responsible for fresh fruits and vegetables, can be reached at (800) 495-7222. The responsible agency for livestock is P & S and can be reached at (303) 375-4240.

All complaints must be in writing and must be submitted within nine months from the date a complete account of sales and/or payment was due. **You must provide two copies of all documents in your possession that are relevant to establishing the complaint, a filing fee of \$100, and the written denial of jurisdiction from the appropriate federal agency, if applicable.**

Your complaint will be reviewed and you may be requested to provide additional information. Within five days of the accepted date of a signed verified complaint, the filing fee, and the denial of federal jurisdiction, the department shall serve the verified complaint on the respondent. The respondent will have 30 calendar days to answer the complaint and submit its supporting documents in duplicate.

After receipt and review of the answer, the department will issue to both parties a written factual summary based on the documentation that has been filed with the department. If a settlement cannot be reached within 30 calendar days after the department's summary is issued, either the complainant or the respondent and upon payment of a **filing fee of \$600**, can request expedited arbitration.

Market Enforcement Branch cannot act as a court of law, thus we are not able to order that monies be granted, contracts be canceled, or damages be awarded. If you have this type of concern, you should consult with an attorney since we are not authorized to give legal advice or act as your counsel.

In preparing your complaint, complete the enclosed form and attach copies of all pertinent documents to support your allegation(s).

Documentary evidence is especially important. Therefore, **copies of all documents need to be legible.** Indicate if the supporting documents are photocopies or originals.

Mail or hand deliver the completed Verified Complaint form, two copies of all supporting documents, and \$100 filing fee to the address below. Make check or money order payable to **CDFA 90295.**

DEPARTMENT OF FOOD AND AGRICULTURE
Market Enforcement Branch
1220 N Street
Sacramento, CA 95814

If Market Enforcement does not receive all required documents for filing a complaint, any materials received will be returned with no further action taken.