

Commodity Futures Trading Commission  
CEA CASES

**NAME:** PENNSYLVANIA CO-OPERATIVE POTATO GROWERS, INC. AND OWEN L. BARKLEY

**DOCKET NUMBER:** 103

**DOCUMENT TYPE:** ISSUANCE OF COMPLAINT

UNITED STATES DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority

Washington 25, D. C.

ISSUANCE OF COMPLAINT -- CEA DOCKET NO. 103

(Administrative Hearing under the Commodity Exchange Act)

A complaint and notice of hearing has been signed by the Assistant Secretary of Agriculture, charging violation of the Commodity Exchange Act by:

Pennsylvania Co-operative Potato Growers, Inc.

Owen L. Barkley

(Harrisburg, Pennsylvania )

The complaint charges that the respondent corporation, a futures commission merchant, and the respondent individual, general manager of the corporation, defrauded a customer by placing in the account of the customer certain potato futures contracts which had been made for the account of the corporation. The complaint also charges that the respondents failed to treat customers' funds as belonging to such customers; failed to keep such funds separate from those of the corporation; and used the funds of certain customers to margin and guarantee the respondents' own trades. It also alleges that the respondents commingled trades made for their own accounts with those of customers and failed to maintain records required under the Commodity Exchange Act.

The issuance of a complaint under the Commodity Exchange Act does not constitute proof of violation of the law. Such violation is established only when the Judicial Officer of the Department has made a determination that the evidence substantiates allegations in the complaint. Complaints are filed in the Office of the Hearing Clerk of the Department of Agriculture and are a matter of public record. Pending disposition by the Judicial Officer, it is the policy of the Commodity Exchange Authority not to comment or elaborate on charges contained in complaints or to discuss evidence on which they are based.

A public hearing on the complaint is scheduled to be held before a referee at 10:00 a.m., local time, October 31, 1961, in Harrisburg, Pennsylvania.

**LOAD-DATE:** June 12, 2008

