

SECRETARY OF LABOR,

Complainant,

v.

SANDERSON FARMS, INC.

(PROCESSING DIVISION),

Respondent.

OSHRC Docket No. 03-1127

DIRECTION FOR REVIEW AND ORDER

This case has previously been captioned with a title naming Sanderson Farms, Inc. as the Respondent. The Respondent has filed a motion to substitute parties noting that the complaint and citation issued by the Secretary of Labor should have been issued to Sanderson Farms, Inc. (Processing Division) rather than to Sanderson Farms, Inc. The Secretary has been informed of the Respondent's intent to substitute parties and has indicated no objection. Accordingly, we direct review of this case and grant the Respondent's motion to substitute parties. The Administrative Law Judge's Order, as amended by this Direction for Review and Order, shall

become the final order of the Commission on November 26, 2003, as originally scheduled. So Ordered.

Date: November 25, 2003

/s/
W. Scott Railton, Chairman

/s/
James M Stephens, Commissioner

/s/
Thomasina V. Rogers, Commissioner

Secretary of Labor,

Complainant,

v.

Sanderson Farms, Inc.,

Respondent.

OSHRC Docket No. 03-1127

Order Approving Settlement

Respondent, by letter dated June 17, 2003, contested a serious citations issued to it on May 22, 2003.

On October 22, 2003, an executed stipulation and joint motion was received from the parties. The stipulation and joint motion having been considered, it is ORDERED:

1. That the terms of the stipulation and joint motion are approved and incorporated herein as part of this order;
2. That the citation and proposed penalties issued to respondent on May 22, 2003, are vacated, reclassified, amended and affirmed in accordance with the terms of the stipulation and joint motion and a penalty in the amount of \$250.00 is assessed; and
3. That respondent's motion to withdraw its notice of contest, pursuant to the terms of settlement, is granted.

/s/

Judge Nancy J. Spies

Date: October 24, 2003