

To amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

APRIL 28, 2015

Mr. CONAWAY (for himself, Mr. PETERSON, and Mr. ROUZER) introduced the following bill; which was referred to the Committee on Agriculture

To amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

3 SECTION 1. SHORT TITLE .

6 SEC. 2. EXTENSION OF LIVESTOCK MANDATORY REPORT-
7 ING.

8 (a) EXTENSION OF AUTHORITY.—Section 260 of the
9 Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) is

1 amended by striking “September 30, 2015” and inserting
 2 “September 30, 2020”.

3 (b) EMERGENCY AUTHORITY.—Section 212(12)(C)
 4 of the Agricultural Marketing Act of 1946 (7 U.S.C.
 5 1635a(12)(C)) is amended by inserting “, including any
 6 day on which any Department employee is on shutdown
 7 or emergency furlough as a result of a lapse in appropria-
 8 tions” after “conduct business”.

9 (c) CONFORMING AMENDMENT.—Section 942 of the
 10 Livestock Mandatory Reporting Act of 1999 (7 U.S.C.
 11 1635 note; Public Law 106–78) is amended by striking
 12 “September 30, 2015” and inserting “September 30,
 13 2020”.

14 **SEC. 3. SWINE REPORTING.**

15 (a) DEFINITIONS.—Section 231 of the Agricultural
 16 Marketing Act of 1946 (7 U.S.C. 1635i) is amended—

17 (1) by redesignating paragraphs (9) through

18 (22) as paragraphs (10) through (23), respectively;

19 (2) by inserting after paragraph (8) the fol-
 20 lowing new paragraph:

21 “(9) NEGOTIATED FORMULA PURCHASE.—The
 22 term ‘negotiated formula purchase’ means a pur-
 23 chase of swine by a packer from a producer under
 24 which—

1 “(A) the pricing mechanism is a formula
2 price for which the formula is determined by
3 negotiation on a lot-by-lot basis; and

4 “(B) the swine are scheduled for delivery
5 to the packer not later than 14 days after the
6 date on which the formula is negotiated and
7 swine are committed to the packer.”;

8 (3) in paragraph (12)(A) (as so redesignated),
9 by inserting “negotiated formula purchase,” after
10 “pork market formula purchase,”; and

11 (4) in paragraph (23) (as so redesignated)—

12 (A) in subparagraph (C), by striking
13 “and” at the end;

14 (B) by redesignating subparagraph (D) as
15 subparagraph (E); and

16 (C) by inserting after subparagraph (C)
17 the following new subparagraph:

18 “(D) a negotiated formula purchase; and”.

19 (b) DAILY REPORTING.—Section 232(c) of the Agri-
20 cultural Marketing Act of 1946 (7 U.S.C. 1635j(c)) is
21 amended—

22 (1) in paragraph (1)(D), by striking clause (ii)
23 and inserting the following new clause:

1 “(ii) PRICE DISTRIBUTIONS.—The in-
2 formation published by the Secretary
3 under clause (i) shall include—

4 “(I) a distribution of net prices
5 in the range between and including
6 the lowest net price and the highest
7 net price reported;

8 “(II) a delineation of the number
9 of barrows and gilts at each reported
10 price level or, at the option of the Sec-
11 retary, the number of barrows and
12 gilts within each of a series of reason-
13 able price bands within the range of
14 prices; and

15 “(III) the total number and
16 weighted average price of barrows and
17 gilts purchased through negotiated
18 purchases and negotiated formula
19 purchases.”; and

20 (2) in paragraph (3), by adding at the end the
21 following new subparagraph:

22 “(C) LATE IN THE DAY REPORT INFORMA-
23 TION.—The Secretary shall include in the
24 morning report and the afternoon report for the
25 following day any information required to be re-

1 ported under subparagraph (A) that is obtained
2 after the time of the reporting day specified in
3 such subparagraph.”.

4 **SEC. 4. LAMB REPORTING.**

5 Not later than 180 days after the date of the enact-
6 ment of this Act, the Secretary of Agriculture shall revise
7 section 59.300 of title 7, Code of Federal Regulations so
8 that—

9 (1) the definition of the term “importer”—

10 (A) includes only those importers that im-
11 ported an average of 1,000 metric tons of lamb
12 meat products per year during the immediately
13 preceding 4 calendar years; and

14 (B) may include any person that does not
15 meet the requirement referred to in subpara-
16 graph (A), if the Secretary determines that the
17 person should be considered an importer based
18 on their volume of lamb imports; and

19 (2) the definition of the term “packer”—

20 (A) applies to any entity with 50 percent
21 or more ownership in a facility;

22 (B) includes a federally inspected lamb
23 processing plant which slaughtered or processed
24 the equivalent of an average of 35,000 head of

1 lambs per year during the immediately pre-
2 ceding 5 calendar years; and

3 (C) may include any other lamb processing
4 plant that did not meet not meet the require-
5 ment referred to in subparagraph (B), if the
6 Secretary determines that the processing plant
7 should be considered a packer after considering
8 its capacity.

9 **SEC. 5. STUDY ON LIVESTOCK MANDATORY REPORTING.**

10 (a) IN GENERAL.—The Secretary of Agriculture, act-
11 ing through the Agricultural Marketing Service in con-
12 junction with the Office of the Chief Economist and in
13 consultation with cattle, swine, and lamb producers, pack-
14 ers, and other market participants, shall conduct a study
15 on the program of information regarding the marketing
16 of cattle, swine, lambs, and products of such livestock
17 under subtitle B of the Agricultural Marketing Act of
18 1946 (7 U.S.C. 1635 et seq.). Such study shall—

19 (1) analyze current marketing practices in the
20 cattle, swine, and lamb markets;

21 (2) identify legislative or regulatory rec-
22 ommendations made by cattle, swine, and lamb pro-
23 ducers, packers, and other market participants to
24 ensure that information provided under such pro-
25 gram—

1 (A) can be readily understood by pro-
2 ducers, packers, and other market participants;

3 (B) reflects current marketing practices;
4 and

5 (C) is relevant and useful to producers,
6 packers, and other market participants;

7 (3) analyze the price and supply information re-
8 porting services of the Department of Agriculture re-
9 lated to cattle, swine, and lamb; and

10 (4) address any other issues that the Secretary
11 considers appropriate.

12 (b) REPORT.—Not later than January 1, 2020, the
13 Secretary of Agriculture shall submit to the Committee on
14 Agriculture of the House of Representatives and the Com-
15 mittee on Agriculture, Nutrition, and Forestry of the Sen-
16 ate a report containing the findings of the study conducted
17 under subsection (a).

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