

114TH CONGRESS  
1ST SESSION

# H. R. 2051

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IN THE SENATE OF THE UNITED STATES

JUNE 10, 2015

Received; read twice and referred to the Committee on Agriculture, Nutrition,  
and Forestry

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## AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE .**

2 This Act may be cited as the “Mandatory Price Re-  
3 porting Act of 2015”.

4 **SEC. 2. EXTENSION OF LIVESTOCK MANDATORY REPORT-**  
5 **ING.**

6 (a) **EXTENSION OF AUTHORITY.**—Section 260 of the  
7 Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) is  
8 amended by striking “September 30, 2015” and inserting  
9 “September 30, 2020”.

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

16 (c) **CONFORMING AMENDMENT.**—Section 942 of the  
17 Livestock Mandatory Reporting Act of 1999 (7 U.S.C.  
18 1635 note; Public Law 106–78) is amended by striking  
19 “September 30, 2015” and inserting “September 30,  
20 2020”.

21 **SEC. 3. SWINE REPORTING.**

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

24 (1) by redesignating paragraphs (9) through  
25 (22) as paragraphs (10) through (23), respectively;

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

3           “(9) NEGOTIATED FORMULA PURCHASE.—The  
4           term ‘negotiated formula purchase’ means a pur-  
5           chase of swine by a packer from a producer under  
6           which—

7                   “(A) the pricing mechanism is a formula  
8                   price for which the formula is determined by  
9                   negotiation on a lot-by-lot basis; and

10                   “(B) the swine are scheduled for delivery  
11                   to the packer not later than 14 days after the  
12                   date on which the formula is negotiated and  
13                   swine are committed to the packer.”;

14           (3) in paragraph (12)(A) (as so redesignated),  
15           by inserting “negotiated formula purchase,” after  
16           “pork market formula purchase,”; and

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

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

20                   (B) by redesignating subparagraph (D) as  
21                   subparagraph (E); and

22                   (C) by inserting after subparagraph (C)  
23                   the following new subparagraph:

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

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

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

6 “(ii) PRICE DISTRIBUTIONS.—The in-  
7 formation published by the Secretary  
8 under clause (i) shall include—

9 “(I) a distribution of net prices  
10 in the range between and including  
11 the lowest net price and the highest  
12 net price reported;

13 “(II) a delineation of the number  
14 of barrows and gilts at each reported  
15 price level or, at the option of the Sec-  
16 retary, the number of barrows and  
17 gilts within each of a series of reason-  
18 able price bands within the range of  
19 prices; and

20 “(III) the total number and  
21 weighted average price of barrows and  
22 gilts purchased through negotiated  
23 purchases and negotiated formula  
24 purchases.”; and

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

3 “(C) LATE IN THE DAY REPORT INFORMA-  
4 TION.—The Secretary shall include in the  
5 morning report and the afternoon report for the  
6 following day any information required to be re-  
7 ported under subparagraph (A) that is obtained  
8 after the time of the reporting day specified in  
9 such subparagraph.”.

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

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

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

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

20 (B) may include any person that does not  
21 meet the requirement referred to in subpara-  
22 graph (A), if the Secretary determines that the  
23 person should be considered an importer based  
24 on their volume of lamb imports; and

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

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

3 (B) includes a federally inspected lamb  
4 processing plant which slaughtered or processed  
5 the equivalent of an average of 35,000 head of  
6 lambs per year during the immediately pre-  
7 ceding 5 calendar years; and

8 (C) may include any other lamb processing  
9 plant that did not meet the requirement re-  
10 ferred to in subparagraph (B), if the Secretary  
11 determines that the processing plant should be  
12 considered a packer after considering its capac-  
13 ity.

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

15 (a) IN GENERAL.—The Secretary of Agriculture, act-  
16 ing through the Agricultural Marketing Service in con-  
17 junction with the Office of the Chief Economist and in  
18 consultation with cattle, swine, and lamb producers, pack-  
19 ers, and other market participants, shall conduct a study  
20 on the program of information regarding the marketing  
21 of cattle, swine, lambs, and products of such livestock  
22 under subtitle B of the Agricultural Marketing Act of  
23 1946 (7 U.S.C. 1635 et seq.). Such study shall—

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

1           (2) identify legislative or regulatory rec-  
2           ommendations made by cattle, swine, and lamb pro-  
3           ducers, packers, and other market participants to  
4           ensure that information provided under such pro-  
5           gram—

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

8                   (B) reflects current marketing practices;  
9           and

10                   (C) is relevant and useful to producers,  
11           packers, and other market participants;

12           (3) analyze the price and supply information re-  
13           porting services of the Department of Agriculture re-  
14           lated to cattle, swine, and lamb; and

15           (4) address any other issues that the Secretary  
16           considers appropriate.

17           (b) REPORT.—Not later than January 1, 2020, the  
18           Secretary of Agriculture shall submit to the Committee on  
19           Agriculture of the House of Representatives and the Com-  
20           mittee on Agriculture, Nutrition, and Forestry of the

- 1 Senate a report containing the findings of the study con-
- 2 ducted under subsection (a).

Passed the House of Representatives June 9, 2015.

Attest:

KAREN L. HAAS,

*Clerk.*