

PART 200 [RESERVED]

PART 201—REGULATIONS UNDER THE PACKERS AND STOCKYARDS ACT

DEFINITIONS

Sec.

- 201.1 Meaning of words.
- 201.2 Terms defined.

ADMINISTRATION

- 201.3 Applicability of regulations in this part.
- 201.4 Authority.

APPLICABILITY OF INDUSTRY RULES

- 201.5 Bylaws, rules and regulations, and requirements of exchanges, associations, or other organizations; applicability, establishment.

REGISTRATION

- 201.10 Requirements and procedures.
- 201.11 Suspended registrants; officers, agents, and employees.

SCHEDULES OF RATES AND CHARGES

- 201.17 Requirements for filing tariffs.

GENERAL BONDING PROVISIONS

- 201.27 Underwriter; equivalent in lieu of bonds; standard forms.
- 201.28 Duplicates of bonds or equivalents to be filed with Regional Supervisors.

MARKET AGENCY, DEALER AND PACKER BONDS

- 201.29 Market agencies, packers and dealers required to file and maintain bonds.
- 201.30 Amount of market agency, dealer and packer bonds.
- 201.31 Conditions in market agency, dealer and packer bonds.
- 201.32 Trustee in market agency, dealer and packer bonds.
- 201.33 Persons damaged may maintain suit; filing and notification of claims; time limitations; legal expenses.
- 201.34 Termination of market agency, dealer and packer bonds.

PROCEEDS OF SALE

- 201.39 Payment to be made to consignor or shipper by market agencies; exceptions.
- 201.42 Custodial accounts for trust funds.

ACCOUNTS AND RECORDS

- 201.43 Payment and accounting for livestock and live poultry.
- 201.44 Market agencies to render prompt accounting for purchases on order.

201.45 Market agencies to make records available for inspection by owners, consignors, and purchasers.

201.49 Requirements regarding scale tickets evidencing weighing of livestock, live poultry, and feed.

TRADE PRACTICES

201.53 Persons subject to the Act not to circulate misleading reports about market conditions or prices.

201.55 Purchases, sales, acquisitions, payments and settlements to be made on actual weights.

201.56 Market agencies selling on commission; purchases from consignment.

201.61 Market agencies selling or purchasing livestock on commission; relationships with dealers.

201.67 Packers not to own or finance selling agencies.

201.69 Furnishing information to competitor buyers.

201.70 Restriction or limitation of competition between packers and dealers prohibited.

SERVICES

201.71 Scales and or Electronic Evaluation Devices or Systems; accurate weights and measures, repairs, adjustments or replacements after inspection.

201.72 Scales; testing of.

201.73 Scale operators to be qualified.

201.73-1 Instructions for weighing livestock.

201.76 Reweighing.

201.81 Suspended registrants.

201.82 Care and promptness in weighing and handling livestock and live poultry.

INSPECTION OF BRANDS

201.86 Brand inspection: Application for authorization, registration and filing of schedules, reciprocal arrangements, and maintenance of identity of consignments.

GENERAL

201.94 Information as to business; furnishing of by packers, swine contractors, live poultry dealers, stockyard owners, market agencies, and dealers.

201.95 Inspection of business records and facilities.

201.96 Unauthorized disclosure of business information prohibited.

201.97 Annual reports.

201.98 Packers and dealers not to charge, demand, or collect commission, yardage, or other service charges.

201.99 Purchase of livestock by packers on a carcass grade, carcass weight, or carcass grade and weight basis.

§ 201.1

POULTRY—PACKERS AND LIVE POULTRY DEALERS

- 201.100 Records to be furnished poultry growers and sellers.
201.108-1 Instructions for weighing live poultry or feed.
201.200 Sale of livestock to a packer on credit.
201.213-201.214 [Reserved]
201.215 Suspension of delivery of birds.
201.216 Additional capital investments criteria.
201.217 Reasonable period of time to remedy a breach of contract.
201.218 Arbitration.

AUTHORITY: 7 U.S.C. 181-229c.

DEFINITIONS

§ 201.1 Meaning of words.

Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

[19 FR 4524, July 22, 1954]

§ 201.2 Terms defined.

The definitions of terms contained in the Act shall apply to such terms when used in the Regulations under the Packers and Stockyards Act, 9 CFR part 201; Rules of Practice Governing Proceedings under the Packers and Stockyards Act, 9 CFR part 202; Statements of General Policy under the Packers and Stockyards Act, 9 CFR part 203; and Organization and Functions, 9 CFR part 204. In addition the following terms used in these parts shall be construed to mean:

(a) *Act* means the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. 181 *et seq.*).

(b) *Department* means the United States Department of Agriculture.

(c) *Secretary* means the Secretary of Agriculture of the United States, or any officer or employee of the Department authorized to act for the Secretary.

(d) *Administration* or *agency* means the Grain Inspection, Packers and Stockyards Administration (Packers and Stockyards Programs).

(e) *Administrator* or *agency head* means the Administrator of the Administration or any person authorized to act for the Administrator.

(f) *Regional Supervisor* means the regional supervisor of the Grain Inspec-

9 CFR Ch. II (1-1-17 Edition)

tion, Packers and Stockyards Administration (Packers and Stockyards Programs) for a given area or any person authorized to act for the regional supervisor.

(g) *Person* means individuals, partnerships, corporations, and associations.

(h) *Registrant* means any person registered pursuant to the provisions of the Act and the regulations in this part.

(i) *Stockyard* means a livestock market which has received notice under section 302(b) of the Act that it has been determined by the Secretary to come within the definition of “stockyard” under section 302(a) of the Act.

(j) *Schedule* means a tariff of rates and charges filed by stockyard owners and market agencies.

(k) *Custom Feedlot* means any facility which is used in its entirety or in part for the purpose of feeding livestock for the accounts of others, but does not include feeding incidental to the sale or transportation of livestock.

(l) [Reserved]

(m) *Principal part of performance* means the raising of, and caring for livestock or poultry, when used in connection with a livestock or poultry production contract.

(n) *Additional capital investment* means a combined amount of \$12,500 or more per structure paid by a poultry grower or swine production contract grower over the life of the poultry growing arrangement or swine production contract beyond the initial investment for facilities used to grow, raise and care for poultry or swine. Such term includes the total cost of upgrades to the structure, upgrades of equipment located in and around each structure, goods and professional services that are directly attributable to the additional capital investment. The term does not include costs of maintenance or repair.

[46 FR 50510, Oct. 14, 1981, as amended at 76 FR 76888, Dec. 9, 2011; 80 FR 6430, Feb. 5, 2015]

ADMINISTRATION

§ 201.3 Applicability of regulations in this part.

The regulations in this part, when governing or affecting contracts, shall