

108TH CONGRESS
1ST SESSION

S. 1644

To amend the Packers and Stockyards Act, 1921, to limit the number of packer-owned swine that certain packers may slaughter in any calendar year.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2003

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Packers and Stockyards Act, 1921, to limit the number of packer-owned swine that certain packers may slaughter in any calendar year.

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

3 **SECTION 1. ANNUAL LIMITATION ON NUMBER OF PACKER-**
4 **OWNED SWINE SLAUGHTERED BY CERTAIN**
5 **PACKERS.**

6 (a) IN GENERAL.—Title II of the Packers and Stock-
7 yards Act, 1921 (7 U.S.C. 191 et seq.) is amended by
8 adding at the end the following:

1 **“Subtitle C—Annual Limitation on**
2 **Number of Packer-Owned Swine**
3 **Slaughtered by Certain Packers**

4 **“SEC. 231. DEFINITIONS.**

5 “In this subtitle:

6 “(1) AFFILIATE.—The term ‘affiliate’ has the
7 meaning given the term in section 231 of the Agri-
8 cultural Marketing Act of 1946 (7 U.S.C. 1635i).

9 “(2) PACKER.—The term ‘packer’ has the
10 meaning given the term in section 231 of the Agri-
11 cultural Marketing Act of 1946 (7 U.S.C. 1635i).

12 “(3) PACKER-OWNED SWINE.—The term ‘pack-
13 er-owned swine’ means swine that a packer (includ-
14 ing a subsidiary or affiliate of the packer) owns for
15 at least 7 days (excluding any Saturday or Sunday)
16 before slaughter.

17 “(4) SLAUGHTER CAPACITY.—The term
18 ‘slaughter capacity’ means the total number of swine
19 that a packer (including a subsidiary or affiliate of
20 the packer) could slaughter in a calendar year if all
21 federally inspected swine processing plants operated
22 by the packer were operated at full capacity for 260
23 days each calendar year.

1 “(5) SWINE.—The term ‘swine’ has the mean-
 2 ing given the term in section 231 of the Agricultural
 3 Marketing Act of 1946 (7 U.S.C. 1635i).

4 **“SEC. 232. UNLAWFUL PRACTICE.**

5 “It shall be unlawful for any packer with an annual
 6 slaughter capacity of more than 20,000,000 swine to
 7 slaughter more than 10,000,000 packer-owned swine in
 8 any calendar year.”.

9 (b) EFFECTIVE DATE.—

10 (1) IN GENERAL.—Subject to paragraph (2),
 11 the amendment made by subsection (a) takes effect
 12 on the date of enactment of this Act.

13 (2) EXISTING PACKERS.—In the case of a pack-
 14 er that, on the date of enactment of this Act, would
 15 otherwise be in violation of section 232 of the Pack-
 16 ers and Stockyards Act, 1921 (as added by sub-
 17 section (a)), the amendment made by subsection (a)
 18 takes effect on the date that is 18 months after the
 19 date of enactment of this Act.

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