

109TH CONGRESS
2D SESSION

H. R. 4713

To amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2006

Mr. BOSWELL introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter.

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. PROHIBITION ON PACKERS OWNING, FEEDING,**
4 **OR CONTROLLING LIVESTOCK.**

5 (a) PROHIBITION.—Section 202 of the Packers and
6 Stockyards Act, 1921 (7 U.S.C. 192), is amended—

7 (1) by redesignating subsections (f) and (g) as
8 subsections (g) and (h), respectively; and

9 (2) by inserting after subsection (e) the fol-
10 lowing new subsection (f):

1 “(f) Own or feed livestock directly, through a sub-
2 sidiary, or through an arrangement that gives the packer
3 operational, managerial, or supervisory control over the
4 livestock, or over the farming operation that produces the
5 livestock, to such an extent that the producer is no longer
6 materially participating in the management of the oper-
7 ation with respect to the production of the livestock, ex-
8 cept that this subsection shall not apply to—

9 “(1) an arrangement entered into within 7 days
10 (excluding any Saturday or Sunday) before slaugh-
11 ter of the livestock by a packer, a person acting
12 through the packer, or a person that directly or indi-
13 rectly controls, or is controlled by or under common
14 control with, the packer;

15 “(2) a cooperative or entity owned by a cooper-
16 ative, if a majority of the ownership interest in the
17 cooperative is held by active cooperative members
18 that—

19 “(A) own, feed, or control livestock; and

20 “(B) provide the livestock to the coopera-
21 tive for slaughter;

22 “(3) a packer that is not required to report to
23 the Secretary on each reporting day (as defined in
24 section 212 of the Agricultural Marketing Act of
25 1946 (7 U.S.C. 1635a)) information on the price

1 and quantity of livestock purchased by the packer;
2 or

3 “(4) a packer that owns one livestock proc-
4 essing plant; or”.

5 (b) EFFECTIVE DATE.—

6 (1) IN GENERAL.—Subject to paragraph (2),
7 the amendments made by subsection (a) take effect
8 on the date of enactment of this Act.

9 (2) TRANSITION RULES.—In the case of a pack-
10 er that, on the date of enactment of this Act, owns,
11 feeds, or controls livestock intended for slaughter in
12 violation of section 202(f) of the Packers and Stock-
13 yards Act, 1921 (as added by subsection (a)), such
14 section shall not apply to the packer—

15 (A) in the case of a packer of swine, until
16 the end of the 18-month period beginning on
17 the date of the enactment of this Act; and

18 (B) in the case of a packer of any other
19 type of livestock, until such date as the Sec-
20 retary of Agriculture considers practicable, but
21 not later than 180 days after the date of the
22 enactment of this Act.

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