

109TH CONGRESS
1ST SESSION

S. 818

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 SENATE OF THE UNITED STATES

APRIL 15, 2005

Mr. GRASSLEY (for himself, Mr. SALAZAR, Mr. THUNE, Mr. DORGAN, Mr. ENZI, Mr. JOHNSON, Mr. DAYTON, and Mr. HARKIN) 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 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) IN GENERAL.—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

1 (2) by inserting after subsection (e) the fol-
2 lowing:

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

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

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

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

22 “(B) provide the livestock to the coopera-
23 tive for slaughter;

24 “(3) a packer that is not required to report to
25 the Secretary on each reporting day (as defined in

1 section 212 of the Agricultural Marketing Act of
2 1946 (7 U.S.C. 1635a)) information on the price
3 and quantity of livestock purchased by the packer;
4 or

5 “(4) a packer that owns 1 livestock processing
6 plant; or”.

7 (b) EFFECTIVE DATE.—

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

11 (2) TRANSITION RULES.—In the case of a pack-
12 er that on the date of enactment of this Act owns,
13 feeds, or controls livestock intended for slaughter in
14 violation of section 202(f) of the Packers and Stock-
15 yards Act, 1921 (as amended by subsection (a)), the
16 amendments made by subsection (a) apply to the
17 packer—

18 (A) in the case of a packer of swine, begin-
19 ning on the date that is 18 months after the
20 date of enactment of this Act; and

21 (B) in the case of a packer of any other
22 type of livestock, beginning as soon as prac-
23 ticable, but not later than 180 days, after the

1 date of enactment of this Act, as determined by
2 the Secretary of Agriculture.

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