

22, 1999], the Secretary of Agriculture shall publish on a monthly basis the Hogs and Pigs Inventory Report.

“(b) GESTATING SOWS.—The Secretary shall include in a separate category of the Report the number of bred female swine that are assumed, or have been confirmed, to be pregnant during the reporting period.

“(c) PHASE-OUT.—Effective for a period of eight quarters after the implementation of the monthly report required under subsection (a), the Secretary shall continue to maintain and publish on a quarterly basis the Hogs and Pigs Inventory Report published on or before the date of the enactment of this Act.

“SEC. 932. BARROW AND GILT SLAUGHTER.

“(a) IN GENERAL.—The Secretary of Agriculture shall promptly obtain and maintain, through an appropriate collection system or valid sampling system at packing plants, information on the total slaughter of swine that reflects differences in numbers between barrows and gilts, as determined by the Secretary.

“(b) AVAILABILITY.—The information shall be made available to swine producers, packers, and other market participants in a report published by the Secretary not less frequently than weekly.

“(c) ADMINISTRATION.—

“(1) IN GENERAL.—The Secretary shall administer the collection and compilation of information, and the publication of the report, required by this section.

“(2) NONDELEGATION.—The Secretary shall not delegate the collection, compilation, or administration of the information required by this section to any packer (as defined in section 201 of the Packers and Stockyards Act, 1921 (7 U.S.C. 191)).

“SEC. 933. AVERAGE TRIM LOSS CORRELATION STUDY AND REPORT.

“(a) IN GENERAL.—The Secretary of Agriculture shall contract with a qualified contractor to conduct a correlation study and prepare a report establishing a baseline and standards for determining and improving average trim loss measurements and processing techniques for pork processors to employ in the slaughter of swine.

“(b) CORRELATION STUDY AND REPORT.—The study and report shall—

“(1) analyze processing techniques that would assist the pork processing industry in improving procedures for uniformity and transparency in how trim loss is discounted (in dollars per hundred pounds carcass weight) by different packers and processors;

“(2) analyze slaughter inspection procedures that could be improved so that trimming procedures and policies of the Secretary are uniform to the maximum extent determined practicable by the Secretary;

“(3) determine how the Secretary may be able to foster improved breeding techniques and animal handling and transportation procedures through training programs made available to swine producers so as to minimize trim loss in slaughter processing; and

“(4) make recommendations that are designed to effect changes in the pork industry so as to achieve continuous improvement in average trim losses and discounts.

“(c) SUBSEQUENT REPORTS ON STATUS OF IMPROVEMENTS AND UPDATES IN BASELINE.—Not less frequently than once every 2 years after the initial publication of the report required under this section, the Secretary shall make subsequent periodic reports that—

“(1) examine the status of the improvement in reducing trim loss discounts in the pork processing industry; and

“(2) update the baseline to reflect changes in trim loss discounts.

“(d) SUBMISSION OF REPORTS TO CONGRESS, PRODUCERS, PACKERS, AND OTHERS.—The reports required under this section shall be made available to—

“(1) the public on the Internet;

“(2) the Committee on Agriculture of the House of Representatives;

“(3) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(4) producers and packers; and

“(5) other market participants.

“SEC. 934. SWINE PACKER MARKETING CONTRACTS.

“[Enacted sections 198 to 198b of this title.]

“SEC. 935. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated such sums as are necessary to carry out this subtitle and the amendments made by this subtitle.

“Subtitle D—Implementation

“SEC. 941. REGULATIONS.

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act [Oct. 22, 1999], the Secretary of Agriculture shall publish final regulations to implement this title and the amendments made by this title.

“(b) PUBLICATION OF PROPOSED REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publish proposed regulations to implement this title and the amendments made by this title.

“(c) COMMENT PERIOD.—The Secretary shall provide an opportunity for comment on the proposed regulations during the 30-day period beginning on the date of the publication of the proposed regulations.

“(d) FINAL REGULATIONS.—Not later than 60 days after the conclusion of the comment period, the Secretary shall publish the final regulations and implement this title and the amendments made by this title.

“SEC. 942. TERMINATION OF AUTHORITY.

“The authority provided by this title [enacting sections 198 to 198b and 1635 to 1636h of this title and this note, amending sections 192 and 5712 of this title, repealing section 229a of this title, and amending provisions set out as a note under section 1421 of this title] and the amendments made by this title (other than section 911 of subtitle A [enacting this subchapter] and the amendments made by that section) terminate[s] on September 30, 2024.”

[Authority referred to in section 942 of Pub. L. 106–78, set out above, extended to Mar. 14, 2025, by Pub. L. 118–83, div. A, §§106(3), 120, Sept. 26, 2024, 138 Stat. 1526, 1528, as amended by Pub. L. 118–158, div. A, §101(1), Dec. 21, 2024, 138 Stat. 1723.]

**§ 1635a. Definitions**

In this subchapter:

**(1) Base price**

The term “base price” means the price paid for livestock, delivered at the packing plant, before application of any premiums or discounts, expressed in dollars per hundred pounds of carcass weight.

**(2) Basis level**

The term “basis level” means the agreed-on adjustment to a future price to establish the final price paid for livestock.

**(3) Current slaughter week**

The term “current slaughter week” means the period beginning Monday, and ending Sunday, of the week in which a reporting day occurs.

**(4) F.O.B.**

The term “F.O.B.” means free on board, regardless of the mode of transportation, at the point of direct shipment by the seller to the buyer.

**(5) Livestock**

The term “livestock” means cattle, swine, and lambs.

**(6) Lot**

The term “lot” means a group of one or more livestock that is identified for the purpose of a single transaction between a buyer and a seller.

**(7) Marketing**

The term “marketing” means the sale or other disposition of livestock, livestock products, or meat or meat food products in commerce.

**(8) Negotiated purchase**

The term “negotiated purchase” means a cash or spot market purchase by a packer of livestock from a producer under which—

(A) the base price for the livestock is determined by seller-buyer interaction and agreement on a day; and

(B) the livestock are scheduled for delivery to the packer not later than 14 days after the date on which the livestock are committed to the packer.

**(9) Negotiated sale**

The term “negotiated sale” means a cash or spot market sale by a producer of livestock to a packer under which—

(A) the base price for the livestock is determined by seller-buyer interaction and agreement on a day; and

(B) the livestock are scheduled for delivery to the packer not later than 14 days after the date on which the livestock are committed to the packer.

**(10) Prior slaughter week**

The term “prior slaughter week” means the Monday through Sunday prior to a reporting day.

**(11) Producer**

The term “producer” means any person engaged in the business of selling livestock to a packer for slaughter (including the sale of livestock from a packer to another packer).

**(12) Reporting day**

The term “reporting day” means a day on which—

(A) a packer conducts business regarding livestock committed to the packer, or livestock purchased, sold, or slaughtered by the packer;

(B) the Secretary is required to make information concerning the business described in subparagraph (A) available to the public; and

(C) the Department of Agriculture is open to conduct business.

**(13) Secretary**

The term “Secretary” means the Secretary of Agriculture.

**(14) State**

The term “State” means each of the 50 States.

(Aug. 14, 1946, ch. 966, title II, § 212, as added Pub. L. 106-78, title IX, § 911(2), Oct. 22, 1999, 113 Stat. 1188.)

## PART B—CATTLE REPORTING

**§ 1635d. Definitions**

In this part:

**(1) Cattle committed**

The term “cattle committed” means cattle that are scheduled to be delivered to a packer within the 7-day period beginning on the date of an agreement to sell the cattle.

**(2) Cattle type**

The term “cattle type” means the following types of cattle purchased for slaughter:

(A) Fed steers.

(B) Fed heifers.

(C) Fed Holsteins and other fed dairy steers and heifers.

(D) Cows.

(E) Bulls.

**(3) Formula marketing arrangement**

The term “formula marketing arrangement” means the advance commitment of cattle for slaughter by any means other than through a negotiated purchase or a forward contract, using a method for calculating price in which the price is determined at a future date.

**(4) Forward contract**

The term “forward contract” means—

(A) an agreement for the purchase of cattle, executed in advance of slaughter, under which the base price is established by reference to—

(i) prices quoted on the Chicago Mercantile Exchange; or

(ii) other comparable publicly available prices; or

(B) such other forward contract as the Secretary determines to be applicable.

**(5) Packer**

The term “packer” means any person engaged in the business of buying cattle in commerce for purposes of slaughter, of manufacturing or preparing meats or meat food products from cattle for sale or shipment in commerce, or of marketing meats or meat food products from cattle in an unmanufactured form acting as a wholesale broker, dealer, or distributor in commerce, except that—

(A) the term includes only a cattle processing plant that is federally inspected;

(B) for any calendar year, the term includes only a cattle processing plant that slaughtered an average of at least 125,000 head of cattle per year during the immediately preceding 5 calendar years; and

(C) in the case of a cattle processing plant that did not slaughter cattle during the immediately preceding 5 calendar years, the Secretary shall consider the plant capacity of the processing plant in determining whether the processing plant should be considered a packer under this part.

**(6) Packer-owned cattle**

The term “packer-owned cattle” means cattle that a packer owns for at least 14 days immediately before slaughter.

**(7) Terms of trade**

The term “terms of trade” includes, with respect to the purchase of cattle for slaughter—

(A) whether a packer provided any financing agreement or arrangement with regard to the cattle;