

§ 301, eff. July 1, 1947, 12 F.R. 4534, 61 Stat. 952. See note set out under section 391 of this title.

By order of Secretary of Agriculture, Packers and Stockyards Administration abolished on July 1, 1927, and enforcement of Packers and Stockyards Act of 1921, which is classified to this chapter, was put under control of chief of Bureau of Animal Industry.

SUBCHAPTER I—GENERAL DEFINITIONS

§ 181. Short title

This chapter may be cited as the “Packers and Stockyards Act, 1921.”

(Aug. 15, 1921, ch. 64, title I, § 1, 42 Stat. 159.)

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2016 AMENDMENT

Pub. L. 114-237, § 1, Oct. 7, 2016, 130 Stat. 970, provided that: “This Act [amending sections 201 and 228b of this title] may be cited as the ‘Clarification of Treatment of Electronic Sales of Livestock Act of 2016’.”

SHORT TITLE OF 1987 AMENDMENT

Pub. L. 100-173, § 1, Nov. 23, 1987, 101 Stat. 917, provided that: “This Act [enacting sections 197 and 228b-1 to 228b-4 of this title, amending sections 182, 192, 209, 221, 223, 227, and 228a of this title, repealing sections 218 to 218d of this title, and enacting provisions set out as notes under sections 182 and 227 of this title] may be cited as the ‘Poultry Producers Financial Protection Act of 1987’.”

IMPROVED INVESTIGATIVE AND ENFORCEMENT ACTIVITIES UNDER THIS CHAPTER

Pub. L. 106-472, title III, § 312(a)-(d), Nov. 9, 2000, 114 Stat. 2076, 2077, provided that:

“(a) IMPLEMENTATION OF GENERAL ACCOUNTING OFFICE [NOW GOVERNMENT ACCOUNTABILITY OFFICE] RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of this Act [Nov. 9, 2000], the Secretary of Agriculture shall implement the recommendations contained in the report issued by the General Accounting Office [now Government Accountability Office] entitled ‘Packers and Stockyards Programs: Actions Needed to Improve Investigations of Competitive Practices’, GAO/RCED-00-242, dated September 21, 2000.

“(b) CONSULTATION.—During the implementation period referred to in subsection (a), and for such an additional time period as needed to assure effective implementation of the recommendations contained in the report referred to in such subsection, the Secretary of Agriculture shall consult and work with the Department of Justice and the Federal Trade Commission in order to—

“(1) implement the recommendations in the report regarding investigation management, operations, and case methods development processes; and

“(2) effectively identify and investigate complaints of unfair and anti-competitive practices in violation of the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), and enforce the Act.

“(c) TRAINING.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture shall develop and implement a training program for staff of the Department of Agriculture engaged in the investigation of complaints of unfair and anti-competitive activity in violation of the Packers and Stockyards Act, 1921. In developing the training program, the Secretary of Agriculture shall draw on existing training materials and programs available at the Department of Justice and the Federal Trade Commission, to the extent practicable.

“(d) IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report describing the actions taken to comply with this section.”

§ 182. Definitions

When used in this chapter—

(1) The term “person” includes individuals, partnerships, corporations, and associations;

(2) The term “Secretary” means the Secretary of Agriculture;

(3) The term “meat food products” means all products and byproducts of the slaughtering and meat-packing industry—if edible;

(4) The term “livestock” means cattle, sheep, swine, horses, mules, or goats—whether live or dead;

(5) The term “livestock products” means all products and byproducts (other than meats and meat food products) of the slaughtering and meat-packing industry derived in whole or in part from livestock;

(6) The term “poultry” means chickens, turkeys, ducks, geese, and other domestic fowl;

(7) The term “poultry product” means any product or byproduct of the business of slaughtering poultry and processing poultry after slaughter;

(8) The term “poultry grower” means any person engaged in the business of raising and caring for live poultry for slaughter by another, whether the poultry is owned by such person or by another, but not an employee of the owner of such poultry;

(9) The term “poultry growing arrangement” means any growout contract, marketing agreement, or other arrangement under which a poultry grower raises and cares for live poultry for delivery, in accord with another’s instructions, for slaughter;

(10) The term “live poultry dealer” means any person engaged in the business of obtaining live poultry by purchase or under a poultry growing arrangement for the purpose of either slaughtering it or selling it for slaughter by another, if poultry is obtained by such person in commerce, or if poultry obtained by such person is sold or shipped in commerce, or if poultry products from poultry obtained by such person are sold or shipped in commerce; and

(11) The term “commerce” means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession, or the District of Columbia.

(12) SWINE CONTRACTOR.—The term “swine contractor” means any person engaged in the business of obtaining swine under a swine production contract for the purpose of slaughtering the swine or selling the swine for slaughter, if—

(A) the swine is obtained by the person in commerce; or

(B) the swine (including products from the swine) obtained by the person is sold or shipped in commerce.

(13) SWINE PRODUCTION CONTRACT.—The term “swine production contract” means any growout contract or other arrangement under which a swine production contract grower raises and cares for the swine in accordance with the instructions of another person.