

114TH CONGRESS  
1ST SESSION

# H. R. 2051

To amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2015

Mr. CONAWAY (for himself, Mr. PETERSON, and Mr. ROUZER) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes.

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. SHORT TITLE .**

4 This Act may be cited as the “Mandatory Price Re-  
5 porting Act of 2015”.

6 **SEC. 2. EXTENSION OF LIVESTOCK MANDATORY REPORT-**  
7 **ING.**

8 (a) EXTENSION OF AUTHORITY.—Section 260 of the  
9 Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) is

1 amended by striking “September 30, 2015” and inserting  
2 “September 30, 2020”.

3 (b) EMERGENCY AUTHORITY.—Section 212(12)(C)  
4 of the Agricultural Marketing Act of 1946 (7 U.S.C.  
5 1635a(12)(C)) is amended by inserting “, including any  
6 day on which any Department employee is on shutdown  
7 or emergency furlough as a result of a lapse in appropria-  
8 tions” after “conduct business”.

9 (c) CONFORMING AMENDMENT.—Section 942 of the  
10 Livestock Mandatory Reporting Act of 1999 (7 U.S.C.  
11 1635 note; Public Law 106–78) is amended by striking  
12 “September 30, 2015” and inserting “September 30,  
13 2020”.

14 **SEC. 3. SWINE REPORTING.**

15 (a) DEFINITIONS.—Section 231 of the Agricultural  
16 Marketing Act of 1946 (7 U.S.C. 1635i) is amended—

17 (1) by redesignating paragraphs (9) through

18 (22) as paragraphs (10) through (23), respectively;

19 (2) by inserting after paragraph (8) the fol-  
20 lowing new paragraph:

21 “(9) NEGOTIATED FORMULA PURCHASE.—The  
22 term ‘negotiated formula purchase’ means a pur-  
23 chase of swine by a packer from a producer under  
24 which—

1           “(A) the pricing mechanism is a formula  
2 price for which the formula is determined by  
3 negotiation on a lot-by-lot basis; and

4           “(B) the swine are scheduled for delivery  
5 to the packer not later than 14 days after the  
6 date on which the formula is negotiated and  
7 swine are committed to the packer.”;

8           (3) in paragraph (12)(A) (as so redesignated),  
9 by inserting “negotiated formula purchase,” after  
10 “pork market formula purchase,”; and

11           (4) in paragraph (23) (as so redesignated)—

12           (A) in subparagraph (C), by striking  
13 “and” at the end;

14           (B) by redesignating subparagraph (D) as  
15 subparagraph (E); and

16           (C) by inserting after subparagraph (C)  
17 the following new subparagraph:

18           “(D) a negotiated formula purchase; and”.

19           (b) DAILY REPORTING.—Section 232(c) of the Agri-  
20 cultural Marketing Act of 1946 (7 U.S.C. 1635j(c)) is  
21 amended—

22           (1) in paragraph (1)(D), by striking clause (ii)  
23 and inserting the following new clause:

1           “(ii) PRICE DISTRIBUTIONS.—The in-  
2           formation published by the Secretary  
3           under clause (i) shall include—

4                   “(I) a distribution of net prices  
5                   in the range between and including  
6                   the lowest net price and the highest  
7                   net price reported;

8                   “(II) a delineation of the number  
9                   of barrows and gilts at each reported  
10                  price level or, at the option of the Sec-  
11                  retary, the number of barrows and  
12                  gilts within each of a series of reason-  
13                  able price bands within the range of  
14                  prices; and

15                  “(III) the total number and  
16                  weighted average price of barrows and  
17                  gilts purchased through negotiated  
18                  purchases and negotiated formula  
19                  purchases.”; and

20           (2) in paragraph (3), by adding at the end the  
21           following new subparagraph:

22                   “(C) LATE IN THE DAY REPORT INFORMA-  
23                   TION.—The Secretary shall include in the  
24                   morning report and the afternoon report for the  
25                   following day any information required to be re-

1           ported under subparagraph (A) that is obtained  
2           after the time of the reporting day specified in  
3           such subparagraph.”.

4 **SEC. 4. LAMB REPORTING.**

5           Not later than 180 days after the date of the enact-  
6           ment of this Act, the Secretary of Agriculture shall revise  
7           section 59.300 of title 7, Code of Federal Regulations so  
8           that—

9           (1) the definition of the term “importer”—

10                   (A) includes only those importers that im-  
11                   ported an average of 1,000 metric tons of lamb  
12                   meat products per year during the immediately  
13                   preceding 4 calendar years; and

14                   (B) may include any person that does not  
15                   meet the requirement referred to in subpara-  
16                   graph (A), if the Secretary determines that the  
17                   person should be considered an importer based  
18                   on their volume of lamb imports; and

19           (2) the definition of the term “packer”—

20                   (A) applies to any entity with 50 percent  
21                   or more ownership in a facility;

22                   (B) includes a federally inspected lamb  
23                   processing plant which slaughtered or processed  
24                   the equivalent of an average of 35,000 head of

1 lambs per year during the immediately pre-  
2 ceding 5 calendar years; and

3 (C) may include any other lamb processing  
4 plant that did not meet not meet the require-  
5 ment referred to in subparagraph (B), if the  
6 Secretary determines that the processing plant  
7 should be considered a packer after considering  
8 its capacity.

9 **SEC. 5. STUDY ON LIVESTOCK MANDATORY REPORTING.**

10 (a) IN GENERAL.—The Secretary of Agriculture, act-  
11 ing through the Agricultural Marketing Service in con-  
12 junction with the Office of the Chief Economist and in  
13 consultation with cattle, swine, and lamb producers, pack-  
14 ers, and other market participants, shall conduct a study  
15 on the program of information regarding the marketing  
16 of cattle, swine, lambs, and products of such livestock  
17 under subtitle B of the Agricultural Marketing Act of  
18 1946 (7 U.S.C. 1635 et seq.). Such study shall—

19 (1) analyze current marketing practices in the  
20 cattle, swine, and lamb markets;

21 (2) identify legislative or regulatory rec-  
22 ommendations made by cattle, swine, and lamb pro-  
23 ducers, packers, and other market participants to  
24 ensure that information provided under such pro-  
25 gram—

1 (A) can be readily understood by pro-  
2 ducers, packers, and other market participants;

3 (B) reflects current marketing practices;  
4 and

5 (C) is relevant and useful to producers,  
6 packers, and other market participants;

7 (3) analyze the price and supply information re-  
8 porting services of the Department of Agriculture re-  
9 lated to cattle, swine, and lamb; and

10 (4) address any other issues that the Secretary  
11 considers appropriate.

12 (b) REPORT.—Not later than January 1, 2020, the  
13 Secretary of Agriculture shall submit to the Committee on  
14 Agriculture of the House of Representatives and the Com-  
15 mittee on Agriculture, Nutrition, and Forestry of the Sen-  
16 ate a report containing the findings of the study conducted  
17 under subsection (a).

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