

Union Calendar No.

114TH CONGRESS
1ST SESSION

H. R. 2051

[Report No. 114-]

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

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

MAY --, 2015

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 28, 2015]

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*
10 *amended by striking “September 30, 2015” and inserting*
11 *“September 30, 2020”.*

12 (b) *EMERGENCY AUTHORITY.*—Section 212(12)(C) of
13 *the Agricultural Marketing Act of 1946 (7 U.S.C.*
14 *1635a(12)(C)) is amended by inserting “, including any*
15 *day on which any Department employee is on shutdown*
16 *or emergency furlough as a result of a lapse in appropria-*
17 *tions” after “conduct business”.*

18 (c) *CONFORMING AMENDMENT.*—Section 942 of the
19 *Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635*
20 *note; Public Law 106–78) is amended by striking “Sep-*
21 *tember 30, 2015” and inserting “September 30, 2020”.*

22 **SEC. 3. SWINE REPORTING.**

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

1 (1) by redesignating paragraphs (9) through (22)
2 as paragraphs (10) through (23), respectively;

3 (2) by inserting after paragraph (8) the fol-
4 lowing new paragraph:

5 “(9) *NEGOTIATED FORMULA PURCHASE.*—*The*
6 *term ‘negotiated formula purchase’ means a purchase*
7 *of swine by a packer from a producer under which—*

8 “(A) *the pricing mechanism is a formula*
9 *price for which the formula is determined by ne-*
10 *gotiation on a lot-by-lot basis; and*

11 “(B) *the swine are scheduled for delivery to*
12 *the packer not later than 14 days after the date*
13 *on which the formula is negotiated and swine*
14 *are committed to the packer.”;*

15 (3) in paragraph (12)(A) (as so redesignated),
16 by inserting “*negotiated formula purchase,*” after
17 “*pork market formula purchase,*”; and

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

19 (A) in subparagraph (C), by striking “*and*”
20 at the end;

21 (B) by redesignating subparagraph (D) as
22 subparagraph (E); and

23 (C) by inserting after subparagraph (C) the
24 following new subparagraph:

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

1 **(b) DAILY REPORTING.**—*Section 232(c) of the Agricul-*
2 *tural Marketing Act of 1946 (7 U.S.C. 1635j(c)) is amend-*
3 *ed—*

4 *(1) in paragraph (1)(D), by striking clause (ii)*
5 *and inserting the following new clause:*

6 “(ii) **PRICE DISTRIBUTIONS.**—*The in-*
7 *formation published by the Secretary under*
8 *clause (i) shall include—*

9 “(I) *a distribution of net prices in*
10 *the range between and including the*
11 *lowest net price and the highest net*
12 *price reported;*

13 “(II) *a delineation of the number*
14 *of barrows and gilts at each reported*
15 *price level or, at the option of the Sec-*
16 *retary, the number of barrows and gilts*
17 *within each of a series of reasonable*
18 *price bands within the range of prices;*
19 *and*

20 “(III) *the total number and*
21 *weighted average price of barrows and*
22 *gilts purchased through negotiated pur-*
23 *chases and negotiated formula pur-*
24 *chases.”; and*

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

3 “(C) *LATE IN THE DAY REPORT INFORMA-*
4 *TION.—The Secretary shall include in the morn-*
5 *ing report and the afternoon report for the fol-*
6 *lowing day any information required to be re-*
7 *ported under subparagraph (A) that is obtained*
8 *after the time of the reporting day specified in*
9 *such subparagraph.*”.

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

11 *Not later than 180 days after the date of the enactment*
12 *of this Act, the Secretary of Agriculture shall revise section*
13 *59.300 of title 7, Code of Federal Regulations, so that—*

14 (1) *the definition of the term “importer”—*

15 (A) *includes only those importers that im-*
16 *ported an average of 1,000 metric tons of lamb*
17 *meat products per year during the immediately*
18 *preceding 4 calendar years; and*

19 (B) *may include any person that does not*
20 *meet the requirement referred to in subpara-*
21 *graph (A), if the Secretary determines that the*
22 *person should be considered an importer based*
23 *on their volume of lamb imports; and*

24 (2) *the definition of the term “packer”—*

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

3 (B) includes a federally inspected lamb
4 processing plant which slaughtered or processed
5 the equivalent of an average of 35,000 head of
6 lambs per year during the immediately pre-
7 ceding 5 calendar years; and

8 (C) may include any other lamb processing
9 plant that did not meet the requirement referred
10 to in subparagraph (B), if the Secretary deter-
11 mines that the processing plant should be consid-
12 ered a packer after considering its capacity.

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

14 (a) *IN GENERAL.*—The Secretary of Agriculture, act-
15 ing through the Agricultural Marketing Service in conjunc-
16 tion with the Office of the Chief Economist and in consulta-
17 tion with cattle, swine, and lamb producers, packers, and
18 other market participants, shall conduct a study on the pro-
19 gram of information regarding the marketing of cattle,
20 swine, lambs, and products of such livestock under subtitle
21 B of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635
22 et seq.). Such study shall—

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

1 (2) *identify legislative or regulatory rec-*
2 *ommendations made by cattle, swine, and lamb pro-*
3 *ducers, packers, and other market participants to en-*
4 *sure that information provided under such pro-*
5 *gram—*

6 (A) *can be readily understood by producers,*
7 *packers, and other market participants;*

8 (B) *reflects current marketing practices;*
9 *and*

10 (C) *is relevant and useful to producers,*
11 *packers, and other market participants;*

12 (3) *analyze the price and supply information re-*
13 *porting services of the Department of Agriculture re-*
14 *lated to cattle, swine, and lamb; and*

15 (4) *address any other issues that the Secretary*
16 *considers appropriate.*

17 (b) *REPORT.—Not later than January 1, 2020, the*
18 *Secretary of Agriculture shall submit to the Committee on*
19 *Agriculture of the House of Representatives and the Com-*
20 *mittee on Agriculture, Nutrition, and Forestry of the Senate*
21 *a report containing the findings of the study conducted*
22 *under subsection (a).*