

Campaign for Contract Agriculture Reform, Farm and Ranch Freedom Alliance, Food & Water Watch, Land Stewardship Project, Institute for Agriculture and Trade Policy, Iowa Citizens for Community Improvement, Missouri Rural Crisis Center, National Family Farm Coalition, Organization of Competitive Markets, Ranchers Cattlemen Action Legal Fund – United Stockgrowers of America, Rural Advancement Foundation International-USA, Western Organization of Resource Councils

Our organizations are promoting interrelated reforms to restore competitive livestock markets and fair contracts based on a platform supported by over 200 organizations that represent independent farmers and ranchers, contract growers, and consumers (available at <http://tinyurl.com/3gcty2>).

## **Agricultural Competition Issue Brief 11 of 18:** **Include Poultry in Packers and Stockyards Enforcement**

**Obama-Biden Position:** " Prevent Anticompetitive Behavior Against Family Farms... strengthen anti-monopoly laws; change federal agriculture policy to strengthen producer protection from fraud, abuse and market manipulation...."

**Relevant Program:** Packers and Stockyards Act

**Relevant Agency:** USDA Grain Inspection, Packers and Stockyard Administration

**Policy Recommendation – Administration Action:** GIPSA should re-interpret its analysis of the Packers and Stockyards Act, which has been misread in the past to exclude protections for breeder hen and pullet growers. Accurately interpreted, GIPSA should be exercising its authority under the Act to provide protections for breeder hen and pullet growers equivalent to the protections provided for broiler growers.

**Policy Recommendation –Legislative Action:** The new Administration should send draft legislation to Congress to amend Title II of the Packers and Stockyards Act to give

- USDA administrative enforcement authority over live poultry dealers, similar to Section 10202 of the Senate version of the 2008 Farm Bill (H.R. 2419).
- the authority and discretion to any district court of the United States of competent jurisdiction to allow reasonable attorney's fee as part of the costs of the prevailing party by amending (7 USC § 209). This change would be consistent with the powers previously granted district courts under the Agricultural Fair Practices Act.

**Background:** USDA has less authority to halt unlawful practices or assess civil penalties in the poultry sector than hogs or beef under the P&SA. In addition, the current poultry provisions have been misinterpreted by GIPSA to only apply to protections for growers of broilers but not growers of breeder hens and pullets, an important part of the poultry production chain.