

USDA Proposes Changes to their Regulations Regarding Grain Inspection, Packers and Stockyards Administration's Testing of Scales

WASHINGTON, August 27, 2009 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) is proposing to amend one section of the regulations under the Packers and Stockyards Act of 1921, as amended (P&S Act), regarding the requirement that stockyard owners, market agencies, dealers, packers, or live poultry dealers that weight livestock, live poultry, or feed, have their scales tested at least twice each calendar year at intervals of approximately 6 months.

This proposal would amend the current regulations to state that the 6-month interval in which scale owners must have their scales tested each calendar year is not longer approximate. Specifically, the proposal would require that scale owners complete the first of the two scale tests between January 1 and June 30 of the calendar year. The remaining scale test would be required to be completed between July 1 and December 31 of the calendar year. In addition, a minimum period of 120 days would be required between these two tests. More frequent testing would still be required in cases where a scale does not maintain accuracy between tests.

Finally, we are proposing to amend that section of the regulations to add 'swine contractors' to the list of regulated entities to which the section applies. GIPSA believes that this proposed action would facilitate GIPSA's ability to regulate the business operations of stockyard owners, swine contractors, market agencies, dealers, packers or live poultry dealers through the effective enforcement of the P&S Act.

The proposed rule was published in the August 24th *Federal Register*. GIPSA is accepting public comments received by October 23, 2009. Additional information is available in GIPSA's *Federal Register* notice at www.gipsa.usda.gov.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

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