

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

WASHINGTON, Jan. 21, 2011 - The U.S. Department of Agriculture's Grain Inspection, Packers and Stockyards Administration (GIPSA) has amended section 201.72(a) (9 CFR 201.72(a)) 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 weigh livestock, live poultry, or feed, have their scales tested at least twice each calendar year at intervals of approximately 6 months.

This amends the current regulations to state that the 6-month interval in which scale owners must have their scales tested each calendar year is no longer approximate. Specifically, this requires regulated entities to complete the first of the two scale tests between January 1 and June 30 of the calendar year. Therefore, the scale test for the first half of calendar year 2011 must be completed by June 30, 2011. The remaining scale test is required to be completed between July 1 and December 31 of the calendar year. In addition, a minimum period of 120 days is required between these two tests. More frequent testing would still be required in cases where a scale does not maintain accuracy between tests.

GIPSA has provided an exception for the testing of scales used on a limited seasonal basis. A seasonal scale is one used from either January 1 through June 30, or July 1 through December 31, but not during both periods. GIPSA will require that these scales be tested once during the calendar year, within the 6 months prior to use.

That same section of the regulations has been amended to add 'swine contractors' to the list of regulated entities to which the section applies. GIPSA believes that these changes will 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 [final rule](#) was published in the January 20, 2011, *Federal Register* and is posted on GIPSA's web site.

The Packers and Stockyards 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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