

Public Law 95-409
95th Congress

An Act

Oct. 2, 1978
[S. 3272]

To amend the Packers and Stockyards Act, 1921, and for other purposes.

Packers and
Stockyards Act,
1921,
amendment.
7 USC 181.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Packers and Stockyards Act, 1921, is amended as follows:

(a) Section 305 of the Act (7 U.S.C. 206) is amended by inserting immediately before the period at the end thereof the following: “: *Provided*, That rates and charges based upon percentages of the gross sales prices of livestock shall not be prohibited merely because they are based upon such percentages rather than on a per head basis”; and

(b) Section 310 of the Act (7 U.S.C. 211) is amended by—

(1) in the introductory paragraph, striking out “unjust, unreasonable, or discriminatory” and inserting in lieu thereof “violative of section 304, 305, or 307”;

(2) in subsection (a) thereof—

(A) striking out “just and reasonable” and inserting after the word “May” the following: “in accordance with the standard set forth in section 305”;

(B) striking out “as both the maximum and minimum” and inserting in lieu thereof “as the maximum or minimum or both”;

(C) inserting immediately before the semicolon at the end thereof “: *Provided*, That the Secretary shall prescribe the rate or charge, or rates or charges, on a percentage or per head basis at the election of the stockyard owner or market agency, or on any other basis elected by the stockyard owner or market agency unless the Secretary finds such other basis to be violative of section 305”; and

(3) in subsection (b), striking out “more or less than the rate or charge” and inserting in lieu thereof “other than the rate or charge or rates or charges”.

7 USC 205, 206,
208.

SEC. 2. The Secretary of Agriculture shall appoint an interagency task force within the Department of Agriculture for the purpose of analyzing and recommending methods by which any livestock sellers, or their agents, may furnish to livestock marketing agencies, dealers, or packers, who purchase livestock or provide marketing services, information concerning the existence of any lien or security interest in or against such livestock. The Secretary shall submit a report of the findings and conclusions of such task force, including legislative recommendations, to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives no later than February 1, 1979.

Interagency task force.
7 USC 221 note.

Report to congressional committees.

Approved October 2, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-1337 accompanying H.R. 9482 (Comm. on Agriculture).

SENATE REPORT No. 95-1053 (Comm. on Agriculture, Nutrition, and Forestry).

CONGRESSIONAL RECORD, Vol. 124 (1978):

Aug. 4, considered and passed Senate.

Sept. 19, H.R. 9482 considered and passed House; passage vacated and S. 3272 passed in lieu.