Good Morning,

Today, GIPSA published in the Federal Register a final rule withdrawing the Interim Final Rule (IFR) concerning the Scope of Sections 202(a) and (b) of the Packers and Stockyards Act (<https://federalregister.gov/d/2017-22593>) and a notice of no further action for the Proposed Rule concerning Unfair Practices and Undue Preferences in violation of the Packers and Stockyards Act (<https://federalregister.gov/d/2017-22588>).

USDA and GIPSA remain committed to protecting fair trade practices, financial integrity, and competitive markets for livestock, meat, and poultry.  After careful consideration of public comments, we are withdrawing the IFR regarding the Scope of Sections 202(a) and (b) of the Packers and Stockyards Act.  As many public comments noted, the purpose of the Act is to protect competition, not individual competitors.  Additionally, the IFR conflicted with case law, which Congress has declined to overturn through legislation.  Withdrawal of the IFR is also consistent with President Trump’s Executive Order to reduce regulations and control regulatory costs.

We are taking no action at this time on the other rule proposed on December 20, 2016, regarding Poultry Grower Ranking Systems.  We continue to review the comments received and analyze current business practices to determine whether specific regulation is necessary to ensure that these systems are not unfair, unjustly discriminatory, or deceptive.

Sincerely,

Randall D. Jones

Acting Administrator

Grain Inspection, Packers and Stockyards Administration