

National Sustainable Agriculture Coalition Comments on the Delay in the Effectiveness Date for the Interim Final Rule on the Scope of Section 202(a) and 202(b) of the Packers and Stockyards Act

On behalf of the National Sustainable Agriculture Coalition's represented members¹ I am writing to provide comments with regard to the proposed rule (GIPSA-2016-PSP-0009-RULEMAKING-0348) posted in the Federal Register Number 2017-07361, on April 12, 2017.

NSAC and its member organizations support finalizing the Interim Final Rule (IFR) immediately (option (1)) and moving forward swiftly on the two proposed rules that together comprise the Farmer Fair Practices Rules.

The IFR reiterates the position that USDA has long held under both Republican and Democratic administrations, that violations of sections 202(a) and (b) of the Packers and Stockyards Act do not require a showing of harm or likely harm to competition.

Congress passed the Packers and Stockyards Act to provide protection for livestock and poultry farmers against unfair, deceptive and discriminatory practices by meat packers and poultry companies. Hence, sections 202(a) and (b) were clearly and explicitly written to exclude any requirement to show harm to competition of the sector as a whole.

For too many years livestock and poultry farmers have been denied recourse under these provisions of law due to the absence of USDA regulations. It is our hope that the Trump Administration will stand up for this segment of rural America and provide farmers with the protection from unfair, deceptive and discriminatory practices that they need and

¹ Agriculture and Land-Based Training Association Salinas, CA; Alternative Energy Resources Organization Helena, MT; CCOF Santa Cruz, CA; California FarmLink Santa Cruz, CA; C.A.S.A. del Llano (Communities Assuring a Sustainable Agriculture) Hereford, TX; Catholic Rural Life St Paul, MN; Center for Rural Affairs Lyons, NE; Clagett Farm/Chesapeake Bay Foundation Upper Marlboro, MD; Community Alliance with Family Farmers Davis, CA; Dakota Rural Action Brookings, SD; Delta Land and Community, Inc. Almyra, AR; Ecological Farming Association Soquel, CA; Farmer-Veteran Coalition Davis, CA; Florida Organic Growers Gainesville, FL; FoodCorps, OR; GrassWorks New Holstein, WI; Hmong National Development, Inc. St Paul, MN and Washington, DC; Illinois Stewardship Alliance Springfield, IL; Institute for Agriculture and Trade Policy Minneapolis, MN; Interfaith Sustainable Food Collaborative Sebastopol, CA; Iowa Natural Heritage Foundation Des Moines, IA; Izaak Walton League of America St. Paul, MN/Gaithersburg, MD; Kansas Rural Center Topeka, KS; The Kerr Center for Sustainable Agriculture Poteau, OK; Land Stewardship Project Minneapolis, MN; MAFO St Cloud, MN; Michael Fields Agricultural Institute East Troy, WI; Michigan Food & Farming Systems – MIFFS East Lansing, MI; Michigan Organic Food and Farm Alliance Lansing, MI; Midwest Organic and Sustainable Education Service Spring Valley, WI; Montana Organic Association Eureka, MT; The National Center for Appropriate Technology Butte, MT; National Hmong American Farmers Fresno, CA; Nebraska Sustainable Agriculture Society Ceresco, NE; Northeast Organic Dairy Producers Alliance Deerfield, MA; Northern Plains Sustainable Agriculture Society LaMoure, ND; Northwest Center for Alternatives to Pesticides Eugene, OR; Ohio Ecological Food & Farm Association Columbus, OH; Oregon Tilth Corvallis, OR; Organic Farming Research Foundation Santa Cruz, CA; Organic Seed Alliance Port Townsend, WA; Rural Advancement Foundation International – USA Pittsboro, NC; Union of Concerned Scientists Food and Environment Program Cambridge, MA; Virginia Association for Biological Farming Lexington, VA; Wild Farm Alliance Watsonville, CA; Women, Food, and Agriculture Network Ames, IA; World Farmers Lancaster, MA;

deserve. It is long past time to take this small but critical step toward creating a level playing field for small family businesses that are the backbone of our rural communities.

NSAC and its members also support moving ahead on the two proposed rules, which together with this IFR, make up the Farmer Fair Practices Rules. The comment period on these two proposed rules, the Poultry Grower Ranking System proposed rule and the Unfair Practices and Undue Preferences proposed rule, ended on March 22 and we are eagerly awaiting information on when those two rules will move forward.

It is time for USDA to stand up for America's livestock and poultry farmers. Please finalize the IFR without delay!