The Honorable Thomas J. Vilsack  
Secretary  
U.S. Department of Agriculture  
1400 Independence Ave., SW  
Washington, DC 20250  

Re: Transparency in Poultry Grower Contracting and Tournaments; Final Rule; RIN 0581-AE03; 87 Fed. Reg. 34980  

Dear Secretary Vilsack,  

As representatives of districts with regional chicken processing operations, we respectfully request that the U.S. Department of Agriculture’s (USDA) Agricultural Marketing Service (AMS) grant no less than a 180-day extension of the implementation date for the above-referenced Final Rule (henceforth, “the rule”). For the several reasons set forth below, we believe such an extension is necessary.  

The rule establishes numerous additional disclosure requirements, changes what provisions must be included in contracts, introduces various open-ended and novel definitions and terms, requires companies establish entire oversight systems from scratch, and injects significant ambiguity regarding compliance. The provisions in the rule requiring certain terms be included in contracts are so novel that it appears the industry could have to amend nearly every contract – tens of thousands in total – in just two months over three major federal holidays. By providing just 75 days to implement the rule, AMS has dramatically underestimated the number of people involved, hourly rates, and time required of compliance officers, regulatory consultants, attorneys, executives, and other services required to implement the rule. AMS also overlooks the massive disruption that will be caused if companies and growers must amend nearly every existing grower contract, especially if the same exercise must be done a second time in the event AMS issues additional Packers and Stockyards rules.  

As such, we respectfully request that AMS extend the implementation date of the rule no less than 180 days after its official publication in the Federal Register. Doing so would allow stakeholders and constituents time to thoroughly understand and comply with the rule’s many requirements.  

Thank you for your prompt attention to this critically important issue and full and fair consideration of this request.  

Sincerely,
James Comer
Member of Congress

Glenn "GT" Thompson
Member of Congress

Ken Calvert
Member of Congress

CC: S. Brett Offutt, Chief Legal Officer and Policy Advisor, Packers and Stockyards Division, USDA Agricultural Marketing Service Fair Trade Practices Program

Andy Green, Senior Advisor for Fair and Competitive Markets, USDA