Congress of the United States

Washington, DC 20515

December 15, 2023

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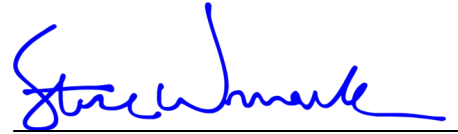
As such, we respectfully request that AMS extend the implementation date of the rule no less than 180 days after its official publication in the *Federal Register*. Doing so would allow stakeholders and constituents time to thoroughly understand and comply with the rule's many requirements.

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

Sincerely,

Jim Costa
Member of Congress

Steve Womack
Member of Congress

Doug LaMalfa
Member of Congress

Robert B. Aderholt
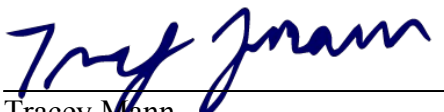Member of Congress

David G. Valadao
Member of Congress

John S. Duarte
Member of Congress

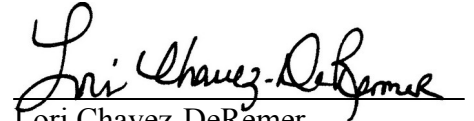David Rouzer
Member of Congress

Rick W. Allen
Member of Congress
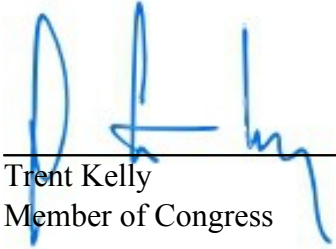
Tracey Mann
Member of Congress

John Rose
Member of Congress

Bruce Westerman
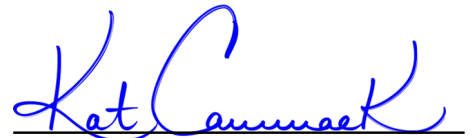Member of Congress

Lori Chavez-DeRemer
Member of Congress

Trent Kelly
Member of Congress

Julia Letlow, Ph.D.
Member of Congress

Mark Alford
Member of Congress

Kat Cammack
Member of Congress

Donald G. Davis
Member of Congress
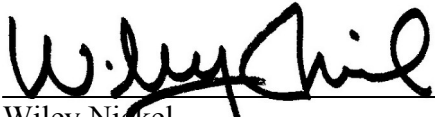
Ben Cline
Member of Congress

John R. Moolenaar
Member of Congress

Dan Bishop
Member of Congress

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Wiley Nickel
Member of Congress

Jimmy Panetta
Member of Congress

Dusty Johnson
Member of Congress

Earl L. "Buddy" Carter
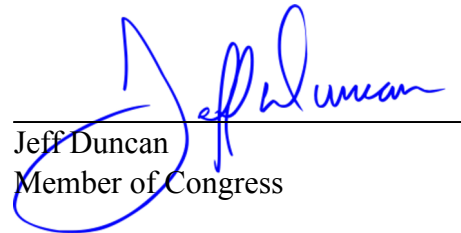Member of Congress

Andrew S. Clyde
Member of Congress

Virginia Foxx
Member of Congress

C. Scott Franklin
Member of Congress

Mike Ezell
Member of Congress

Terri A. Sewell
Member of Congress

Jeff Duncan
Member of Congress
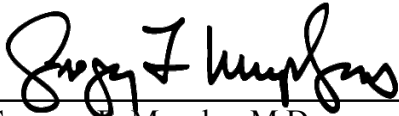
Mary E. Miller
Member of Congress

A. Drew Ferguson IV
Member of Congress

Scott DesJarlais, M.D.
Member of Congress

Kevin Hern
Member of Congress
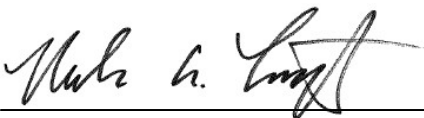
Gregory F. Murphy, M.D.
Member of Congress

David Kustoff
Member of Congress

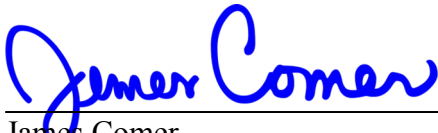Austin Scott
Member of Congress

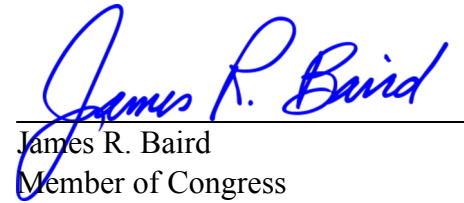Michael Guest
Member of Congress

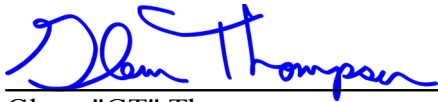Nicholas A. Langworthy
Member of Congress

French Hill
Member of Congress

James Comer
Member of Congress

James R. Baird
Member of Congress

Glenn "GT" Thompson
Member of Congress

Greg Pence
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 Fari and Competitive Markets, USDA