

Calendar month. The term “calendar month” means a timeframe that begins on the first day of the month at midnight and ends on the last day of the month at 11:59 p.m. in the central time zone.

Contract. The term “contract” means a written or oral agreement concerning the specific terms and conditions under which an unknown volume of fed cattle may be purchased by a packer during a specified time frame, or under which a known volume of cattle is purchased by a packer for a given plant during a specified time frame.

Contract method. The term “contract method” means the way in which the contract was established, either written or oral.

Current month. The term “current month” means the present calendar month.

Discount. The term “discount” means the adjustment, expressed either in dollars per one hundred pound or per head, subtracted from the base price.

Fed cattle. The term “fed cattle” means a steer or heifer that has been finished on a ration of roughage and feed concentrates, such as grains, protein meal, grass (forage), and other nutrient-rich feeds, prior to slaughter.

Inactive contract. The term “inactive contract” means a fed cattle contract that is no longer available between a packer and producer for purchase under, or one that is not currently in use.

Packer. The term “packer” means a packer that has slaughtered during the immediately preceding 5 calendar years an average of not less than 5 percent of the number of fed cattle slaughtered nationally during the immediately preceding 5 calendar years.

Person. The term “person” means any individual, group of individuals, partnership, corporation, association, or other entity.

Premium. The term “premium” means the adjustment, expressed either in dollars per one hundred pound or per head, added to the base price.

Prior month. The term “prior month” means the calendar month immediately preceding the current month.

Producer. The term “producer” means any person engaged in the business of selling livestock to a packer for

slaughter (including the sale of livestock from a packer to another packer).

Secretary. The term “Secretary” means the Secretary of Agriculture of the United States or any other officer or employee of the Department of Agriculture to whom authority has been delegated or may hereafter be delegated to act in the Secretary’s stead.

Selling basis. The term “selling basis” refers to cattle that are sold on a live, dressed, live converted to dressed, or dressed converted to live weight basis under a contract.

Unique identifier. The term “unique identifier” means a unique code chosen by the packer for the contract, specific to the contract, and utilized and trackable through the life of the contract.

§ 180.3 Cattle Contracts Library.

(a) *Initial contract information submission.* On January 6, 2023, each packer shall submit to the Secretary information for each active contract with a unique identifier. The information shall be submitted in accordance with §180.1(e). The contract information required to be reported includes:

- (1) The contract method;
- (2) The contract start and end dates; and
- (3) All terms associated with:
 - (i) Each base price source and adjustment;
 - (ii) Selling basis;
 - (iii) Premiums and discounts;
 - (iv) Specifications relating to cattle attributes;
 - (v) Delivery and transportation terms and payments;
 - (vi) Financing, risk-sharing, profit-sharing or other financial arrangements; and,
 - (vii) Volume provisions.

(b) *Reporting deadlines.* Within 1 business day of making a new contract available, making a change to an existing contract, or making a contract no longer available, each packer must submit the following:

- (1) Packers must submit all contract terms in accordance §108.4(a) for each new active contract for each producer or producers at each plant that it operates or at which it has cattle slaughtered;

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(2) Packers must submit any changes to the terms of a previously submitted active contract and associated schedules or appendices, including the unique identifier for the previously submitted contract it supersedes; and

(3) Packers must submit information to remove inactive contracts from the library, including the unique identifier for the now inactive contract.

§ 180.4 Monthly cattle volume reporting.

(a) *Initial estimated volume submission.* On January 6, 2023, each packer shall submit to the Secretary an initial estimate of the total volume of cattle to be contracted for in the current calendar month in accordance with § 180.1(e).

(b) *Reporting deadlines.* By the close of business on the second Friday of each month, each packer must submit the following information in accordance with § 180.1(e). If the second Friday of a month falls on a non-business day, the deadline is due no later than the close of the next business day following the second Friday of the month:

(1) Number of cattle purchased by each base price source under each active contract in the prior month reported by unique identifier and

(2) Estimate of the total number of cattle to be purchased under active contracts for delivery to each plant for slaughter within the current calendar month.

SUBCHAPTER H [RESERVED]