

United States Senate

WASHINGTON, DC 20510

December 15, 2023

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, D.C. 20250

Re: Transparency in Poultry Grower Contracting and Tournaments; Final Rule; RIN 0581-AE03; 87 *Fed. Reg.* 34980 (November 27, 2023).

Dear Secretary Vilsack,

As elected representatives of states with major chicken growing and 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 reasons outlined below, we believe such an extension is necessary.

The rule establishes additional disclosure requirements, changes what provisions must be included in contracts, introduces novel definitions and terms, requires companies to establish governance frameworks, and adds ambiguity regarding compliance. It appears the industry could have to amend nearly every contract – tens of thousands in total – in just 75 days over three major federal holidays. By providing just 75 days to implement the rule, AMS has underestimated the number of people involved, the hourly rates, and the time required by compliance officers, regulatory consultants, attorneys, executives, and other services 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 again in the event AMS finalizes additional Packers and Stockyards rules.

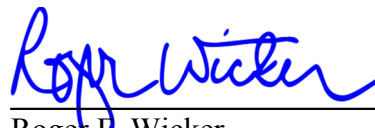
In light of these facts, we respectfully request that AMS extend the implementation date of the rule no less than 180 days after its official publication in the *Federal Register*. Doing so would allow stakeholders and constituents time to thoroughly understand and comply with the rule's requirements.

Thank you for your prompt attention to this critically important issue.

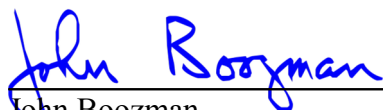
Sincerely,



Christopher A. Coons
United States Senator



Roger F. Wicker
United States Senator



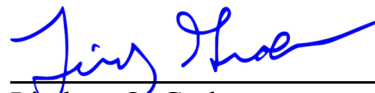
John Boozman
United States Senator



Mark R. Warner
United States Senator



Roger Marshall, M.D.
United States Senator




Lindsey O. Graham
United States Senator



Benjamin L. Cardin
United States Senator



Cindy Hyde-Smith
United States Senator



Thomas R. Carper
United States Senator



Thom Tillis
United States Senator



James Lankford
United States Senator



Chris Van Hollen
United States Senator



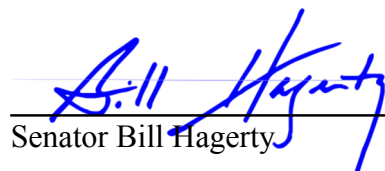
Tim Kaine
United States Senator



Marsha Blackburn
United States Senator



Ted Budd
United States Senator



Senator Bill Hagerty



Markwayne Mullin
United States Senator



Tim Scott
United States Senator



Tom Cotton
United States Senator

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