
Rules of
Department of Agriculture
Division 10—Market Development
Chapter 5—Price Reporting

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**Title 2—DEPARTMENT OF
AGRICULTURE
Division 10—Market Development
Chapter 5—Price Reporting**

2 CSR 10-5.005 Price Reporting Requirements for Livestock Purchases by Packers

Emergency rule filed Sept. 3, 1999, effective Sept. 13, 1999, expired March 2, 2000.

2 CSR 10-5.010 Price Reporting Requirements for Livestock Purchases by Packers

PURPOSE: This rule specifies the requirements of sections 277.200 through 277.215, RSMo, which may be confusing or subject to differing interpretations by interested members of the public.

(1) The following definitions shall apply to the interpretations and enforcement of sections 277.200 through 277.215, RSMo:

(A) Discrimination—defined as offering a different price for the same quality of livestock unless such price differential is based on—

1. Transportation and acquiring costs;
2. An agreement for delivery of livestock at a specified date or time; or
3. Historical data reflecting anticipated carcass merit or value so long as said data is made available to the seller along with applicable premiums and discounts;

(B) Missouri resident—defined as any—

1. Individual residing or domiciled in Missouri;
2. Missouri corporation;
3. Foreign corporation registered in Missouri and doing business in Missouri;
4. Missouri limited liability corporation (LLC);
5. Foreign LLC registered in Missouri and doing business in Missouri; or
6. Partnership doing business in Missouri; and

(C) Direct purchases—shall include but shall not be limited to:

1. Cash;
2. Grade and yield;
3. Grid;
4. Formula pricing; or
5. Forward contracts.

(2) The nature of public auction insures that discrimination does not occur. The open bidding process on livestock already delivered to a specific place and occurring at a given time and with the stock present for all to view allows the final and successful bidder to meet the requirements specified in section

277.203, RSMo. Therefore, sections 277.200 through 277.215, RSMo, shall not apply to a packer or packer's agent who purchases or solicits livestock at a public auction market.

(3) Reporting as required under sections 277.200 through 277.215, RSMo shall be made to the Department of Agriculture. Forms may be obtained from the Department of Agriculture. Data may be transferred electronically in lieu of manual forms. Recommended format and file type may be obtained from the Missouri Department of Agriculture at (573) 751-4339.

AUTHORITY: section 277.215, RSMo Supp. 1999. This rule previously filed as 2 CSR 10-5.005. Emergency rule filed Sept. 3, 1999, effective Sept. 13, 1999, expired March 2, 2000. Emergency rescission and rule filed June 15, 2001, effective June 25, 2001, expired Feb. 28, 2002. Original rule filed Oct. 15, 1999, effective April 30, 2000.*

**Original authority: 277.215, RSMo 1999.*

2 CSR 10-5.015 Public Complaint Handling and Disposition Procedure for Missouri Livestock Marketing Law

PURPOSE: This rule establishes a procedure for the receipt, handling, and disposition of public complaints pursuant to the mandate of the Missouri Livestock Marketing Law, sections 277.200–277.215 RSMo, Supp. 2001.

(1) The director of the Market Development Division of the Department of Agriculture shall receive and process each complaint made against any packer with respect to livestock, meats, meat food products, or livestock products in unmanufactured form, which complaint alleges violations of sections 277.200 to 277.215, RSMo.

(2) Complaints should be mailed or delivered to the following address: Director, Market Development Division, Missouri Department of Agriculture, 1616 Missouri Boulevard, PO Box 630, Jefferson City, MO 65109. However, actual receipt of a complaint by the director of the Market Development Division at the division's administrative office in any manner shall be sufficient. Complaints may be made based upon personal knowledge or upon information and belief, reciting information received from other sources.

(3) The director of the Market Development Division shall appoint a Missouri Livestock Law Violation Review Committee of individuals knowledgeable with the livestock and

packing industries. Members of the committee may be employees of the Department of Agriculture. The committee shall elect a chairman to receive, acknowledge and investigate all complaints on behalf of the director of the Market Development Division. The committee chairman shall call a meeting of the committee as often as necessary to process all complaints received.

(4) All complaints shall be made in writing and shall fully identify the complainant by name and address. Complaints may be made on forms provided by the Market Development Division, included herein. Such forms shall be made available upon request. The forms shall allow for, but not be limited to, the complainant's name and address; the name and address of the subject(s) of the complaint; the date the alleged violation occurred; and a thorough description of the alleged violation(s). The complainant should include any and all available pertinent information. Oral or telephone requests will not be considered or processed as complaints, but each person making such communication will be provided with a complaint form and will be requested to complete the form and return it to the Market Development Division.

(5) Upon receipt by the committee, each complaint shall be acknowledged in writing and investigated by the committee. When the investigation is completed, the committee shall determine if the complaint should be forwarded to the Missouri Attorney General, or if the complaint should be dismissed. Upon that determination, the committee shall inform the complainant, in writing, of the committee's decision.

(6) This rule exists for the benefit of those members of the public who submit complaints to the Missouri Livestock Law Violations Review Committee. This rule is not deemed to protect or inure to the benefit of those persons or entities against whom enforcement actions may be instituted concerning possible violations of the provisions of the Missouri Livestock Marketing Law.



Missouri Department of Agriculture Missouri Livestock Law Violation Report Form

Revised 10-29-01

This form is to be used report possible violations of Section 277.200-277.215 RSMo 2001, *Missouri Livestock Marketing Law*. Please fill out all information as accurately as possible. To file a complaint this form should be mailed or otherwise delivered to:

Director, Market Development Division
Missouri Department of Agriculture
PO Box 630
Jefferson City, MO 65102
Physical Address: 1616 Missouri Boulevard, 65109

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Business Phone: _____

E-Mail: _____

Livestock

Species: _____ Breed: _____ Sex: _____

Weight: _____ Number Sold: _____

Buyer

Company Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Buyer Name: _____

Terms

Date and Time of Sale: _____

Date and Time of Delivery: _____

Date and Time of Slaughter: _____

Price Offered or Paid: _____

Other Terms: (Include any factors affecting price, i.e., freight, special delivery time, etc.)

Complaint

Please provide an explanation of why you believe this law has been violated. (Attach additional information if needed)

Documentation

Please provide any relevant documentation, including but not limited to the following:

Receipts issued by the buyer

Scale tickets from the buyer

Records of any communication relating to the sale

Contracts

Current carcass data

Historical carcass data

Comparable data for the same day and time of sale

Any other documentation to support your claim



*AUTHORITY: sections 277.200–277.215, RSMo 2000 and Supp. 2001. *Emergency rule filed Oct. 16, 2001, effective Oct. 26, 2001, expired April 23, 2002. Original rule filed Feb. 13, 2002, effective July 30, 2002.*

**Original authority: See Missouri Revised Statutes 2000 and Supp. 2001.*