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Subject: Farm Bill 2007 Official Comments - 11/01/2005 01:08 PM CST
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Question1:

Question2:

Question3:

Question4:

Question5: One thing that would greatly enhance rural economic growth is to ensure fair and competitive markets for America's farmers and ranchers. Therefore, I urge you to make the issue of agricultural competition and market concentration a top priority in the 2007 Farm Bill.

During the 2002 Farm Bill debates, public testimony provided clear and compelling evidence of the need for free market competition and fairness for America's farmers and ranchers. Since that time these concerns have become even more urgent and prominent in the public eye. The role of government should be to facilitate properly operating markets and to bring balance to the economic relationships among farmers/ranchers, consumers and food companies.

Therefore, I urge you to include the following in the 2007 farm bill:

1. Producer Protection Act: This proposal is designed to set minimum standards for contract fairness in agriculture. It addresses the worst abuses contained in processor-drafted boilerplate contracts. It includes:

(1) Clear disclosure of producer risks; (2) Prohibition on confidentiality clauses; (3) Prohibition on binding arbitration in contracts of adhesion; (4) Recapture of capital investment (so that contracts that require a significant capital investment by the producer cannot be capriciously canceled without compensation); and (5) A ban on unfair trade practices including "tournament" or "ranking system" payment.

2. Closing Poultry Loopholes in the Packers & Stockyards (P&S) Act: USDA does not have the authority to bring enforcement actions against poultry dealers. The P&S Act omits this authority even as USDA can enforce the law against packers and livestock dealers. We seek to clarify that USDA's authority over poultry applies not only to broiler operations, but also to growers raising pullets or breeder hens. These loopholes should be closed.

3. Bargaining Rights for Contract Farmers: Loopholes should be closed in the Agricultural Fair Practices Act of 1967 (AFPA), and processors should be required to bargain in good faith with producer organizations. The AFPA was enacted to ensure that livestock and poultry producers could join associations and market their products collectively without fear of retribution by processors. These goals have not been attained due to loopholes in that Act. Retaliation by processors is commonplace

in some sectors. This legislation should be passed to promote bargaining rights and prevent processor retaliation.

Question6: