



DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Service

[Docket number AMS-FTPP-20-0023]

Proposed Posting, and Posting of Stockyards

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: The Agricultural Marketing Service (AMS), USDA, is taking action to post stockyards under the Packers and Stockyards Act (P&S Act). Specifically, we are proposing that 10 stockyards now operating subject to the P&S Act be posted. We are also posting 10 stockyards that were identified previously as operating subject to the P&S Act.

DATES: For the proposed posting of stockyards, we will consider comments that we receive on or before [Insert date 15 days after date of publication in the Federal Register].

ADDRESSES: We invite you to submit comments on this notice. You may submit comments by any of the following methods:

- Internet: Go to *<http://www.regulations.gov>*. Follow the on-line instructions for submitting comments.
- Fax: (202) 690-3207
- Mail, hand delivery, or courier: Stuart Frank, USDA, AMS, 1400 Independence Avenue, SW., Room 2507-S, Washington, DC 20250-3601.

Instructions: All comments should refer to the date and page number of this issue of the Federal Register. The comments and other documents relating to this action will be available for public inspection during regular business hours.

FOR FURTHER INFORMATION CONTACT: Contact Donna A. Ash, Program Analyst, AMS, Packers and Stockyards Division at (202) 720-0222 or Donna.a.ash@usda.gov.

SUPPLEMENTARY INFORMATION: AMS administers and enforces the P&S Act of 1921, (7 U.S.C. 181 *et seq.*). The P&S Act prohibits unfair, deceptive, and fraudulent practices by livestock market agencies, dealers, stockyard owners, meat packers, swine contractors, and live poultry dealers in the livestock, poultry, and meatpacking industries.

Section 302 of the P&S Act (7 U.S.C. 202) defines the term “stockyard” as, “... any place, establishment, or facility commonly known as stockyards, conducted, operated, or managed for profit or nonprofit as a public market for livestock producers, feeders, market agencies, and buyers, consisting of pens, or other enclosures, and their appurtenances, in which live cattle, sheep, swine, horses, mules, or goats are received, held, or kept for sale or shipment in commerce.”

Section 302 (b) of the P&S Act requires the Secretary of Agriculture to determine which stockyards meet this definition, and to notify the owner of the stockyard and the public of that determination by posting a notice in each designated stockyard. Once the Secretary provides notice to the stockyard owner and the public, the stockyard is subject to the provisions of Title III of the P&S Act (7 U.S.C. 201-203 and 205-217a) until the Secretary de-posts the stockyard by public notice. To post a stockyard, we assign the stockyard a facility number, notify the stockyard owner, and send an official posting notice to the stockyard owner to display in a public area of the stockyard. This process is referred to as “posting.” The date of posting is the date that the posting notices are physically

displayed at the stockyard. A facility that does not meet the definition of a stockyard is not subject to the P&S Act and therefore cannot be posted. A posted stockyard can be “de-posted,” which occurs when the facility is no longer used as a stockyard.

We are hereby notifying stockyard owners and the public that the following 10 stockyards meet the definition of a stockyard and that we propose to designate these stockyards as posted stockyards.

Proposed facility number	Stockyard Name and Location
NY-178	Davis Livestock Sales, Inc., Gouverneur, New York
NY-179	Argyle Livestock Station, LLC, Argyle, New York
OK-266	Geary Livestock Market, LLC, Geary, Oklahoma
OK-227	McDaniel Livestock Exchange LLC, Valliant, Oklahoma
TX-358	Mort Livestock Exchange, Canton, Texas
TX-359	Amarillo West Stockyards LLC, Wildorado, Texas
PA-164	Double E. Auction Service LLC, Quarryville, Pennsylvania
KY-190	Triple C. Auctions Ewing, Kentucky
FL-141	Cattleman’s Market of Okeechobee LLC, Okeechobee, Florida
ND-134	Bismarck Livestock Auction, LLC, Bismarck, North Dakota

We are also notifying the public that the stockyards listed in the following table meet the P&S Act’s definition of a stockyard, and therefore, we have posted these stockyards. On June 7, 2019, we published a notice in the *Federal Register* (Vol. 84. No. 110) proposing to post these 10 stockyards. Since we received no comments to our proposal, we assigned the stockyards a facility number and notified the owners of the stockyard facilities. Posting notices were sent to each stockyard owner to display in public areas of their stockyard. The table below reflects the date of posting for these stockyards.

Facility Number	Stockyard Name and Location	Date of Posting
KS - 210	Hill City Commission, LLC, Hill City, Kansas	07/15/2019
KY - 189	Blue Grass Stockyards, LLC Lexington, Kentucky	07/15/2019
KY - 190	Franklin Livestock Market Inc., Franklin, Kentucky	07/15/2019
MN - 194	Heidelberger Farm Equipment, LLC, Pine City, Minnesota	07/15/2019
NE - 189	Chappell Livestock LLC, Chappell, Nebraska	07/16/2019

NM - 125	Santa Teresa Livestock Auction LLC, Santa Teresa, New Mexico	12/07/2019
OK - 222	Heart & Soul Horse Co., Sallisaw Oklahoma	07/16/2019
OK - 223	Hinz Auction Land and Cattle, LLC, Clinton, Oklahoma	07/17/2019
OK - 225	C.M.S. Livestock Auction, LLC, Wanette, Oklahoma	12/03/2019
VA - 163	Alex Eugene Dill Hollering Hill Auction LLC, Nathalie, Virginia	07/15/2019

Authority: 7 U.S.C. 202.

Bruce Summers,
Administrator,
Agricultural Marketing Service.

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