

United States Department of Agriculture
Grain Inspection, Packers and Stockyards Administration
Packers and Stockyards Program
Change Control Work Group -- Meeting Minutes

June 20, 2013, 11:00 a.m. Eastern Time by Teleconference

1. **Members Present:** Sarah Childress, Regina Ware, Onetisha Anderson, Kari McPherson, LaDondra Taylor, Marilynn Gallagher, Stephanie Feinberg, and Wayne Basford
2. **Old Business:**
 - A. **Update to CCWG Charter:** the CCWG members discussed version 6 of the CCWG Charter. Discussion was held and it was agreed that the paragraph currently above Section “3. Responsibilities” should have a sentence added at the end stating that “If a CR is received that is outside CCWG’s scope, it will be forwarded to proper personnel.” It was also agreed that the entire paragraph should be moved up before the paragraph beginning with “Employees wishing to submit an anonymous CR . . .” Also, at the top of page 5, it was agreed that “two non-voting members” should be changed to “one non-voting member”. A vote was taken and all approved of version 6, as amended (above).
 - B. **Change Request # 7499349, Swine Contract Review Module:** Wayne reported that he has completed his research of the law of the 50 states with regard to the Section 209(b) issue pertaining to the application of another state’s law. Wayne will attempt to schedule another meeting of the Legal Specialists/Contract Review Workgroup prior to the next CCWG meeting. Tabled until the next meeting to allow for further review by the Legal Specialists/Workgroup.
 - C. **Change Request # 7675880, Change to Calculating Packer Bonds:** Stephanie reported that she spoke with PLD Director Brett Offutt about this CR. Brett recommended that the CCWG table this CR until the Program Management Team (PMT) completes work on the proposed Bond regulations. Sarah reported that she spoke with the submitter, Patti Tolle, and that Patti was not sure of any actual instances of failure by a small packer where this CR would have made a difference in producers being paid. Sarah spoke with WRO Financial Unit Supervisor Jim Morcaldi, who told her that he knew of only one instance during or about 2009, in which a higher bond requirement for the small packer, Primetime Meats USA LLC, would have made a difference in producers being paid. Jim knew of two other small packer failures, but the producers were paid in each of those two instances. After further discussion, the CCWG voted 7-0 to recommend disapproval of this CR, but

that PMT reinforce with the Regional Offices the availability of Regulation 201.30(f) to increase Bond amounts as needed due to specific circumstances indicating the need for a higher Bond.

D. Change Request # 7716680, Proposed Revision of Work Instruction 23 (WI-23) (Clearing Agencies' Responsibilities): Sarah reported on revisions suggested by CRU Supervisor Patti Tolle and WRO Regional Director Kraig Roesch, with whom she consulted about this CR. Onetisha reported on her meeting with Legal Instrument Examiners in ERO, and said that the LIEs invited BPU Supervisor Joe Moore to participate, and that Joe had multiple concerns about this CR. LaDondra reported on her meeting with BPU in MRO about this CR, and said that what "comparable" means could be misleading. Sarah suggested that all concerns be combined into one written product for further review. Stephanie volunteered to undertake this and will also work with Tim Hansen (the submitter of the CR) in reviewing the concerns voiced by others in the agency. Tabled until the next meeting.

3. New Business:

A. Change Request # 7740959, Change to Packer Inquiry Form: this CR was reviewed by the CCWG, and it was agreed that the Annual Report forms need to include a line for Sheep and Goats for purposes of calculating a proper Bond amount. The CCWG voted 7-0 to recommend that PMT approve of this CR. An issue exists as to when OMB approval must be obtained prior to changing a numbered form. Stephanie will talk with Catherine Grasso in PLD about this CR prior to Sarah submitting it to PMT, since Catherine is presently working on changes to the series 3000 and 7000 forms.

B. Change Request # 7741030, Change to 3001 Annual Report Form of Dealers and MABOC: it was noted that the previous Annual Report form had all four quarters listed. Also, if this CR is adopted, it will be necessary to change the Instructions document, in addition to the Annual Report form. An issue exists as to when OMB approval must be obtained prior to changing a numbered form. After discussion, the CCWG voted to recommend that PMT approve of this CR. Because Catherine Grasso in PLD is currently working on changes to the series 3000 and 7000 forms so that they may be used by regulated entities as fillable .pdf documents, Stephanie will discuss this CR with Catherine and report back to Sarah before Sarah discusses this CR with PMT.

C. Change Request # 7744277, Add Rules of Practice to inGIPSA: the CCWG discussed this CR and the options of either adding a link to the Rules of Practice under the Reference Tools section of inGIPSA, or adding the text of the Rules of Practice. The CCWG voted 7-0 to recommend approval of this CR to PMT so that a link is added to the Rules of Practice under the Reference Tools section of inGIPSA.

D. Newsletter Ideas: the CCWG discussed options for an article in the next GIPSA newsletter. The CCWG “flyer” encouraging the submission of Change Requests will be submitted for publication in the next GIPSA Newsletter.

4. Date for Next Meeting: July 23, 2013, 11:00 a.m. Eastern Time.