



**Instructions For  
Monthly Report: Estimates of Swine to be Delivered Under Contract  
(Form P&SP-341)**

Use form P&SP-341 to submit monthly estimates of swine to be delivered under contract.

**Do I need to provide monthly reports?**

You must provide monthly reports if you are a packer, as defined in 9 CFR 206.1, meeting the conditions in either paragraph (1) or (2):

- 1) A packer purchasing at least 100,000 swine per year and slaughtering swine at a federally inspected swine processing plant that meets either of the following conditions:
  - a) A swine processing plant that slaughtered an average of at least 100,000 head of swine per year during the immediately preceding five calendar years, with the average based on those periods in which the plant slaughtered swine; or
  - b) Any swine processing plant or person that did not slaughter swine during the immediately preceding five calendar years that has the capacity to slaughter at least 100,000 swine per year, based on plant capacity information;
- 2) Any person purchasing an average of at least 200,000 sows, boars, or any combination thereof, per year and slaughtering at least 200,000 sows, boars, or any combination thereof at one or more federally inspected swine processing plants during the immediately preceding five calendar years, with the average based on those periods in which the plant slaughtered swine.

**When is the monthly report due?**

Reports must be received by the close of business (4:30 p.m. c.t.) on the 15th of each month. If the 15th day of a month falls on a Saturday, Sunday, or Federal holiday, the monthly report is due no later than the close of the next business day following the 15th.

**What information do I need to provide in the monthly report?**

You must complete a separate monthly report for each plant that meets the definition of a packer in 9 CFR 206.1.

You classified each example contract when you submitted it. Each existing contract will be classified the same as the example contract that represents it.

You must provide estimates of the number of swine to be delivered and the maximum possible number of swine that could be delivered during each of the 12 months following the report date for all existing contracts aggregated by contract type. The contract types are:

- 1) Swine or pork market formula purchases with a ledger.
- 2) Swine or pork market formula purchases without a ledger.
- 3) Other market formula purchases with a ledger.
- 4) Other market formula purchases without a ledger.
- 5) Other purchase arrangement with a ledger.
- 6) Other purchase arrangement without a ledger.



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Every existing contract must be represented by an example contract. If an existing contract is not represented by an example contract, contact GIPSA for information on submitting contracts.

**What if a contract does not specify the number of swine committed?**

To meet the requirements for monthly reporting, you must estimate expected and potential deliveries based on the best information available to you. Such information might include, for example, the producer's current and projected swine inventories and planned production.

**When do I change previously reported estimates?**

Regardless of any estimates for a given future month that may have been previously reported, current estimates of deliveries reported must be based on the most accurate information available at the time each report is prepared.

**Where and how do I file a waiver request?**

You may obtain a waiver for the requirement to file monthly reports if you do not use marketing agreements to procure hogs (i.e. the monthly report would consist of zero estimated deliveries under existing contracts).

You must submitted a request in writing and include a statement that you do not procure swine using marketing agreements. Send the waiver request to address listed below.

If the waiver request is approved, GIPSA will inform you in writing that you have been granted a waiver for 12 months. If you begin using marketing agreements during the waiver period, the waiver becomes void and you must begin submitting monthly reports.

**How and where do I send my monthly report?**

Send example contracts or notification of expired or withdrawn contracts to:

Hardcopy  
USDA GIPSA  
210 Walnut Street, Suite 317  
Des Moines, Iowa 50309

Electronic  
scl.gipsa.usda.gov  
*Note: Under "Submit Swine Contract Library Information", select Monthly Reports*

FAX  
202-720-8300

The electronic submission processes requires secured access to the website listed above. See [Web User Guide: Monthly Reports](#) for information on obtaining access to the secure submission site.

The web site can be used to (1) complete and submit the form, (2) download, complete, and print a fillable Adobe Acrobat (PDF) version of the form for hardcopy submission, or (3) print a blank form.

When completing the cover sheet using the fillable Adobe Acrobat file or on the GIPSA web site, press the tab key to move between fields, or click in the desired field.



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Web User Guide: Monthly Reports contains additional information for using the web interface to submit contracts.

**What are the penalties for not complying?**

As specified in section 222(e) of the P&S Act, to willfully fail or refuse to provide accurate information constitutes a violation of the P&S Act. Section 203 of the P&S Act sets forth the procedures that the Secretary is authorized to follow whenever there is reason to believe that any packer has violated or is violating a provision of Title II of the P&S Act. Section 203 of the P&S Act also specifies the sanction that may be assessed if the Secretary determines that a violation has occurred.

**How can I get additional information?**

If you have questions or need further assistance, please contact the Midwestern Regional office using one of the following methods.

Swine Contract Library Web Site: <http://scl.gipsa.usda.gov>  
 Phone: 515-323-2579, request to speak to the Swine Contract Library staff  
 Email: [SwineContractLibrary@usda.gov](mailto:SwineContractLibrary@usda.gov).  
 Fax: 515-323-2590, attention Swine Contract Library staff

**How do I complete form P&SP-341?**

**Identification Information**

**Items 1-9**

*NOTE: Items 1-5 will be prefilled when completing the cover sheet via the GIPSA web site.*

<b>Item Number</b>	<b>Field Name</b>	<b>Description</b>
1	Report Month and Year	Enter the month and the year for the reporting period. This is the month in which the report is due. For example, if a report is being prepared that is due by December 15, 2001, the report month and year would be 12/2001.  When using the fillable Adobe Acrobat file, a button marked Set Dates will appear to the right of this field. Click on the button to fill in Items 15 and 20.
2	Packer Name	The name of the reporting packer.
3	Federal Inspection Number	The inspection number or establishment number assigned to the plant by USDA's Food Safety and Inspection Service.  When completing the form via the GIPSA web site, you may select the federal inspection numbers for the plant for which the report is being submitted from the drop down lists on Item 3.
4	Plant Name	The name you use to identify the specific plant for which the contract is being submitted.
5	Plant Location	The city and state where the plant is located.
6	Name	Enter the name of person authorized to submit this report.
7	Title	The title of the person identified in item 6.
8	Phone	The phone number at which the person identified in item 6 can be reached.
9	Signature	Signature of person identified in item 6.  When completing the form via the GIPSA web site, an electronic signature will be used. See <u>Web User Guide: Monthly Reports</u> for further details



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<b>Sections 2 &amp; 3– Estimated Number of Swine to be Delivered Under Existing Contracts &amp; Estimated Maximum Number of Swine to be Delivered Under Existing Contracts</b>		
<b>Items 10 -15</b>		
<b>10 and 13</b>	Month/Year	<p>Enter the month and year for which the estimates are being submitted. The starting Month/Year is the month following the Report Month and Year (Item 1) and the Month/Year combination advances one month for each line of the report.</p> <p>For example, if the Report Month and Year is 12/2001, the entry for Month/Year on the first line is 01/02, the entry for Month/Year on the second line is 02/02, continuing through the months to the last line which is 12/02.</p>
<b>11</b>	Contract Types	<p>Enter the corresponding number of swine expected to be delivered to the plant (item 4) for each month listed under Month/Year for all of the existing contracts of each contract type as identified by GIPSA.</p> <p>Report the number of swine committed for delivery under each contract type in effect, even if those contract types are not currently being offered for renewal or to additional producers. Enter zero if the plant does not have any existing contracts for a contract type.</p>
<b>12</b>	Available Contracts	<p>Select <b>Yes</b> if you offer or make available for renewal any contract of the corresponding type.</p> <p>Select <b>No</b> if you do not offer or make available for renewal any contract of the corresponding type.</p>
<b>14</b>	Contract Types	<p>Enter the corresponding maximum number of swine that can be delivered to the plant (item 4) for each month listed under Month/Year for all of the existing contracts of each contract type as identified by GIPSA.</p> <p>If there are no expansion clauses in any existing contracts for a given contract type that is currently in effect, the entries in the column for that type of contract should be identical to the entries in Section 2, Item 11.</p>
<b>15</b>	Expansion clause in contracts	<p>For all existing contracts, identify the expansion clauses by selecting each expansion clause type that occurs in any contract under the corresponding contract type for which estimates are being reported.</p> <p>(1) Clauses that allow for a range in the number of swine to be delivered;</p> <p>(2) Clauses that require a greater number of swine to be delivered as the contract continues;</p> <p>(3) Other clauses that provide or allow for expansion in the numbers of swine to be delivered.</p> <p>Any combination of expansion clauses may be included.</p>