

GIPSA, Packers and Stockyards Programs  
Office of Field Operations  
Regional Offices

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## **INTRODUCTION**

The Packers and Stockyards Programs (P&SP) administers the Packers and Stockyards Act of 1921 (Act), as amended. The Act is a fair trade practice and financial protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries. Members of the livestock, meat, and poultry industries are also protected against unfair or monopolistic practices of competitors. The Act also protects consumers against unfair business practices in the marketing of meats and against restrictions on competition that could unduly raise meat prices.

The Act requires that stockyard companies, auction markets, livestock market agencies, livestock dealers, packers, poultry processors, and live poultry dealers, whose operations are subject to the Act, maintain such records as will disclose in detail all transactions involved in their business including their true ownership. P&SP makes periodic and special examinations of reports and records of persons and firms subject to the Act in order to ascertain whether they are operating in full compliance with the Act.

Regional offices are responsible for carrying out assigned functions and activities in enforcement of the provisions of the Act and regulations issued under its authority in assigned geographic regions.

## **DUTIES AND RESPONSIBILITIES**

### **A. General Overview**

Serves as an Agricultural Economist in the regional office and carries out enforcement of competitive and trade practice provisions of the Act, primarily by conducting economic impact and analysis studies associated with the livestock, meat, and poultry industries. Conducts anticompetitive investigations and surveillance activities generally at large, complex operations. Incumbent assists in formal proceedings. Serves as a mentor to less experienced economists in regional office.

Carries out activities of the Competition Unit of the regional office in order to effectively integrate the unit's responsibilities with those of the other work units within the office. Assures work product is relative to program objectives and work is timely completed. Reviews work products of less experienced economists.

### **B. Economic and Investigative Duties**

Independently, or as a team leader, plans, organizes, and conducts complex economic investigations of anti-competitive, unfair, unjustly discriminatory, or deceptive practices in the livestock, live poultry, and meat markets to identify potential violations of the Act. Incumbent develops and implements

analytical techniques for sophisticated, proactive monitoring of price and other characteristics of livestock, poultry, and meat markets to indicate when market manipulation may be occurring.

Applies economic theory as it relates to markets for livestock, live poultry, and meat. Researches methods with emphasis upon, but not limited to, marketing economics research methods and statistical inference.

Performs independently, or as the leader of a team, investigations of the competitive impacts of marketing and procurement practices in the livestock, poultry, and meat industries. Analyzes emerging practices for potential violation of the anti-competitive or other provisions of the Act.

As the leader in a team project, provides advice and guidance on the investigation and research, monitors the technical accuracy, and reviews the analysis, concepts, and conclusions upon completion of the project.

Identifies economic research objectives, the achievement of which might add to the body of economic knowledge available to the Agency for use in its surveillance and investigations. Analyzes and evaluates industry data where the data, in conjunction with expert testimony, is substantive evidence in support of alleged violations of the Act.

Maintains a current knowledge of structure, performance, marketing conditions, and behavior in the livestock, poultry, and meat industries. Identifies emerging developments that may have an impact on competitive relations in the livestock, poultry and meat industries and, therefore, upon the Agency's surveillance and investigative activities. Defines the logic by which those emerging developments relate to enforcement responsibilities.

Independently, or as a leader of an investigation team, performs the most complex scheduled competition investigations of the largest and most diverse registrants, packers, and live poultry dealers subject to the Act and within the regional office's assigned area of responsibility.

Reviews relevant published articles that may enhance the surveillance and investigative activities of the Agency. Occasionally works with other government agencies in planning and conducting investigations.

As time permits, or as workload demands, the incumbent performs other duties as assigned.

### C. Formal Proceedings

Works with Legal Specialists and Department attorneys in conducting investigations, preparing investigative reports, compiling evidence, and preparing proposed complaints for use in formal litigation. Assists in preparing material for use in questioning witnesses. Represents the Agency in formal proceedings as a witness, testifying as to the economic aspects of the investigation and identifying violations of the Act.

Prior to the hearing, the incumbent frequently assists attorneys in the office of the General Counsel or Department of Justice in the assimilation of the evidence, determination of proposed findings, conclusions, and recommended order. Incumbent assists in the preparation of exhibits and other basic materials requisite to the preparation and presentation of the case.

Serves as a technical expert in reviewing and resolving economic issues specific to the investigation.

#### D. Policy Interpretation and Application

Explains the economic basis and application of new and existing policies and regulations to producers and farm groups, persons in the regulated industries, and to State officials. This requires explanation of the basis in law for such policies, as well as their relevance to the overall objectives of administration of the Act. These educational efforts are designed to prevent violations by informing persons and firms subject to the Act of its jurisdiction, provisions, and requirements.

As directed, the incumbent makes oral and written presentations describing investigation procedures, results, and relevant developments to other interested Agency personnel.

Attends meetings and addresses State and regional industry associations to explain the provisions of the Act and policies of the Agency. Attends meetings of government officials to discuss mutual interests. Confers with company officials and other industry representatives as necessary.

#### **FACTOR LEVELS**

1. Knowledge Required by the Position - Professional knowledge of economic theory, principles, methods, and techniques in order to conduct, or direct as a team leader, extensive investigations, studies, and complex analyses applicable to livestock, meat, and poultry marketing.

Knowledge of data sources sufficient for rapid and accurate application to economic and statistical research analysis.

Knowledge of quantitative research methods and advanced economic and statistical methods to provide guidance in data acquisition and processing for addressing issues relating to the Agency's responsibilities relative to the livestock, poultry, and meat industries and markets.

Incumbent must be skilled in developing investigative work plans and devising and applying modifications to conventional investigative techniques in order to direct and carry out investigations in different complex segments of the industry.

Knowledge of Agency programs, the Act, regulations, policy statements, rules of practice, and controlling administrative and judicial decisions in order to determine a firm's compliance with the competition and related provisions of the Act.

Incumbent must possess skills in verbal and written communication in order to plan, direct and conduct investigations, prepare and present findings, and effectively support recommendations on significant or controversial issues.

Knowledge and ability to use Agency computer programs to create and use spreadsheets, databases, graphs, and charts, and perform word processing functions.

Knowledge of the livestock, meatpacking, and poultry industries.

2. Supervisory Controls - The incumbent is under the general supervision of the Competition Unit Supervisor who provides administrative supervision and broad program direction. The Competition Unit Supervisor discusses the availability of less experienced investigators to be assigned to a team under the direction of the incumbent, other resources available and approximate time lines. Technical guidance in the form of possible approaches to very unusual or sensitive problems is

available from Senior Economists and Competition Unit Supervisor.

As team leader, plans and carries out the assignment, directs the work of other competition employees assigned to the team, coordinates the work with other office employees, resolves most of the technical problems that arise, and develops changes to investigation plans and studies. Keeps the supervisor informed of progress, potentially controversial findings of violations of the Act, and alerts the supervisor of practices discovered in the investigation which may be present in other areas or which may impact upon other Agency programs. Work is reviewed for soundness of overall approach, compatibility with intended objectives, feasibility of recommendations, and to ensure the incumbent achieves maximum use of allocated resources.

3. Guidelines - Guidelines consist of the sound economic and statistical principles and methods, previous investigative reports, investigation plans, Employee Manual, the Act, regulations, policy statements, rules of practice, and formal orders and stipulations. The guidelines are useful in providing a framework of principles upon which the incumbent develops plans for carrying out the work. The myriad of operating practices and the wide variety of firms engaged in the several distinct segments of the livestock, meat, and poultry industries reflect the highly complex nature of the business. Handles difficult and complex assignments that often are not fully or precedent by previous similar efforts. Exercises considerable judgment in using the broad framework provided by the guidelines in adapting them to each assignment or in using them as a foundation to develop new techniques or procedures for addressing specific issues and situations.

4. Complexity - The assignments entail investigation of a broad spectrum of potentially anti-competitive practices of the largest and most complex firms engaged in the various phases of livestock, poultry, and meat marketing whose operations bring them under jurisdiction of the Act. The essential purpose of the work is to determine a firm's compliance with the provisions of the Act.

Plans, conducts, coordinates and/or leads tests to develop economic hypotheses and concepts that relate to trade practices and competitive relationships in markets for livestock, poultry, meats. Interprets the results in terms of implications for enforcement of the Act, including the description of alternative approaches. Uses qualitative and quantitative techniques to examine information and data that are from many sources, may be of limited reliability, and may contain critical gaps. Develops goals, the analytical framework, and appropriate research methods to be used during a study, including the review and consolidation of the final work products of others. The incumbent is an authoritative source of economic information and analytical methods, and provides the regional office with optional approaches for determining violations of anti-competitive violations of the Act.

5. Scope and Effect - Performs the full scope of economic research and analysis by developing and implementing economic plans and methods for application to a wide variety of assignments. The work performed results in data analyses, reports, and investigations that provide information to policy makers, the Office of the General Counsel, and the general public. The work is of critical importance in determining those instances in which the Agency will file formal complaints alleging violation of the Act and in determining the necessary economic evidence that the Agency needs to support such allegations. The effect is an efficient and effective competition program, skilled and proficient economists, and improved stability in the industry.

6. Personal Contacts - Personal contacts are with owners, officers, management officials, legal counsel, production personnel, accountants of the subject firms, and other members of the trade, headquarters staff, federal, State and local government officials engaged in related regulatory activities, and U.S. Department of Justice attorneys.

7. Purpose of Contacts - The purpose of contacts is to describe and clarify issues with respect to

economic logic and analytical methods used in describing and documenting hypotheses about interrelationships among market structure and performance characteristics and conditions of competition and trade practices. Contacts are made to exchange information, coordinate projects, resolve issues, present results of analyses, and advise on application of results to practical policy and regulatory problems. In some instances, other parties may have to be persuaded or influenced concerning technical points. Explains Agency requirements concerning the adequacy of records. Arranges for access to all information, records, and individuals needed to conduct a complete investigation. Justifies conclusions, and uses persuasion in gaining acceptance of critical findings.

8. Physical Demands - The work is primarily sedentary. There is some carrying of equipment and walking over rough terrain at site visits.

9. Work Environment - Travel is required. The work is usually performed in an office setting with occasional exposure to uncomfortable conditions such as stockyards, dealer buying stations, meat packing plants, poultry processing plants, and feed mills.