

Agricultural Marketing Service, USDA

§ 1260.141

exclusive of milk and products made therefrom.

§ 1260.121 Imported beef or beef products.

Imported beef or beef products means products which are imported into the United States which the Secretary determines contain a substantial amount of beef including those products which have been assigned one or more of the following numbers in the Tariff Schedule of the United States: 106.1020, 106.1040, 106.1060, 106.1080, 107.2000, 107.2520, 107.4000, 107.4500, 107.4820, 107.4840, 107.5220, 107.5240, 107.5500, 107.6100, 107.6200, 107.6300.

§ 1260.122 Promotion.

Promotion means any action, including paid advertising, to advance the image and desirability of beef and beef products with the express intent of improving the competitive position and stimulating sales of beef and beef products in the marketplace.

§ 1260.123 Research.

Research means studies relative to the effectiveness of market development and promotion efforts, studies relating to the nutritional value of beef and beef products, other related food science research, and new product development.

§ 1260.124 Consumer information.

Consumer information means nutritional data and other information that will assist consumers and other persons in making evaluations and decisions regarding the purchasing, preparing, and use of beef and beef products.

§ 1260.125 Industry information.

Industry information means information and programs that will lead to the development of new markets, marketing strategies, increased efficiency, and activities to enhance the image of the cattle industry.

§ 1260.126 Plans and projects.

Plans and projects means promotion, research, consumer information and industry information plans, studies or projects conducted pursuant to this subpart.

§ 1260.127 Marketing.

Marketing means the sale or other disposition in commerce of cattle, beef or beef products.

§ 1260.128 Act.

Act means the Beef Promotion and Research Act of 1985, Title XVI, Subtitle A of the Food Security Act of 1985, Pub. L. 99-198 and any amendments thereto.

§ 1260.129 Customs Service.

Customs Service means the United States Customs Service of the United States Department of the Treasury.

§ 1260.130 Part and subpart.

Part means the Beef Promotion and Research Order and all rules and regulations issued pursuant to the Act and the order, and the order itself shall be a "subpart" of such Part.

CATTLEMEN'S BEEF PROMOTION AND RESEARCH BOARD

§ 1260.141 Membership of Board.

(a) Beginning with the 2008 Board nominations and the associated appointments effective early in the year 2009, the United States shall be divided into 39 geographical units and 1 unit representing importers, and the number of Board members from each unit shall be as follows:

CATTLE AND CALVES ¹		
State/unit	(1,000 Head)	Directors
1. Alabama	1,307	1
2. Arizona	930	1
3. Arkansas	1,773	2
4. California	5,450	5
5. Colorado	2,617	3
6. Florida	1,707	2
7. Idaho	2,117	2
8. Illinois	1,347	1
9. Indiana	883	1
10. Iowa	3,783	4
11. Kansas	6,550	7
12. Kentucky	2,363	2
13. Louisiana	847	1
14. Michigan	1,030	1
15. Minnesota	2,390	2
16. Mississippi	1,013	1
17. Missouri	4,450	4
18. Montana	2,383	2
19. Nebraska	6,500	7
20. Nevada	500	1
21. New Mexico	1,543	2
22. New York	1,410	1
23. North Carolina	860	1

CATTLE AND CALVES¹—Continued

State/unit	(1,000 Head)	Directors
24. North Dakota	1,760	2
25. Ohio	1,280	1
26. Oklahoma	5,350	5
27. Oregon	1,397	1
28. Pennsylvania	1,603	2
29. South Dakota	3,717	4
30. Tennessee	2,240	2
31. Texas	13,933	14
32. Utah	830	1
33. Virginia	1,640	2
34. Wisconsin	3,383	3
35. Wyoming	1,403	1
36. Northwest	1.	
Alaska	15.	
Hawaii	158.	
Washington	1,107.	
Total	1,280.	
37. Northeast	1.	
Connecticut	54.	
Delaware	23.	
Maine	90.	
Massachusetts	46.	
New Hampshire	38.	
New Jersey	41.	
Rhode Island	5.	
Vermont	272.	
Total	569.	
38. Mid-Atlantic	1
Maryland	228.	
West Virginia	412.	
Total	640.	
39. Southeast	2
Georgia	1,187.	
South Carolina	415.	
Total	1,602.	
40. Importer ²	9

¹ 2005, 2006, and 2007 average of January 1 cattle inventory data.

² 2004, 2005, and 2006 average of annual import data.

(b) The Board shall be composed of cattle producers and importers appointed by the Secretary from nominations submitted pursuant to the Act and regulations of this Part. A producer may only be nominated to represent the unit in which that producer is a resident.

(c) At least every three (3) years, and not more than every two (2) years, the Board shall review the geographic distribution of cattle inventories throughout the United States and the volume of imported cattle, beef, and beef products and, if warranted, shall reapportion units and/or modify the number of Board members from units in order to best reflect the geographic distribution of cattle production volume in the United States and the volume of imported cattle, beef, or beef products into the United States.

(d) The Board may recommend to the Secretary a modification in the number of cattle per unit necessary for representation on the Board.

(e) The following formula will be used to determine the number of Board members who shall serve on the Board for each unit:

(1) Each geographic unit or State that includes a total cattle inventory equal to or greater than five hundred thousand (500,000) head of cattle shall be entitled to one representative on the Board;

(2) States which do not have total cattle inventories equal to or greater than five hundred thousand (500,000) head of cattle shall be grouped, to the extent practicable, into geographically contiguous units each of which have a combined total inventory of not less than 500,000 head of cattle and such unit(s) shall be entitled to at least one representative on the Board;

(3) Importers shall be represented by a single unit, with the number of Board members representing such unit based upon a conversion of the total volume of imported cattle, beef or beef products into live animal equivalencies;

(4) Each unit shall be entitled to representation by an additional Board member for each one million (1,000,000) head of cattle within the unit which exceeds the initial five hundred thousand (500,000) head of cattle within the unit qualifying such unit for representation.

(f) In determining the volume of cattle within the units, the Board and the Secretary shall utilize the information received by the Board pursuant to §§1260.201 and 1260.202 industry data and data published by the Department.

[51 FR 26138, July 18, 1986, as amended at 55 FR 20445, May 17, 1990; 58 FR 12999, Mar. 9, 1993; 60 FR 62020, Dec. 4, 1995; 64 FR 3815, Jan. 26, 1999; 67 FR 11412, Mar. 14, 2002; 70 FR 7005, Feb. 10, 2005; 73 FR 60098, Oct. 10, 2008]

§ 1260.142 Term of office.

(a) The members of the Board shall serve for terms of three (3) years, except that the members appointed to the initial Board shall serve, proportionately, for terms of 1, 2, and 3 years. To the extent practicable, the terms of Board members from the same unit shall be staggered for the initial Board.