the Board of Directors of such organization, and duly and unqualifiedly authorized in writing by such organization to make nominations on its behalf. The representative of the Director designated to attend the caucus meeting of cotton producer organizations in each state and of cotton importer organizations will ascertain the qualifications and eligibility of each representative of a cotton producer organization or cotton importer organization to participate in said meeting and to make nominations.

(b) Each caucus will be conducted as follows:
(1) The representative from the Cotton Division will act as temporary chairperson and will explain the procedure for nominations and the duties of the Cotton Board;
(2) The representatives in attendance from the certified organizations will then select a chairperson and secretary;
(3) At each caucus there will be presented for nomination and there will be nominated not less than the number of nominees required under the provisions of §§ 1205.322, 1205.324, and 1205.402.

[56 FR 65981, Dec. 20, 1991]

Subpart—Cotton Board Rules and Regulations

SOURCE: 42 FR 35974, July 13, 1977, unless otherwise noted.

DEFINITIONS

§ 1205.500 Terms defined.

As used throughout this subpart, unless the context otherwise requires, the following terms shall mean:
(a) ASCS means the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture.
(b) Cotton Board means the administrative body established pursuant to the Cotton Research and Promotion Order.
(c) CCC means the Commodity Credit Corporation.
(d) Current value of Cotton means the gross price per pound of lint cotton received by the producer for cotton as shown on the producers’ settlement document before deductions are made for weight penalties, buyer’s commission or brokerage fees, marketing fees, the $1 per bale cotton research and promotion assessment, picking charges, ginning charges, warehouse receiving charges, warehouse storage charges, transportation charges or any other charges, plus any amount received by a producer in the form of a loan deficiency payment with respect to such cotton.
(e) Form A means Cotton Producer’s Note, Form CCC Cotton A.
(f) Gin code number means the identification number assigned to each cotton gin by the Cotton Division, Agricultural Marketing Service, U.S. Department of Agriculture.
(g) Handle means to harvest, gin, warehouse, compress, purchase, market, transport, or otherwise acquire ownership or control of cotton.
(h) Handler means any person who handles cotton, including CCC.
(i) Marketing means any sale of cotton, or the pledging of cotton to CCC as collateral for a price support loan.
(j) Marketing year means a consecutive 12-month period ending on July 31.
(k) Person means any individual, partnership, corporation, association, or any other entity, whether governmental or private.
(l) Producer means any person who owns or shares in a cotton crop (or in the proceeds thereof) as landowner, landlord, tenant, or sharecropper.
(m) Secretary means the Secretary of Agriculture of the United States, or any officer or employee of the U.S. Department of Agriculture to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in the Secretary’s stead.
(n) Loan deficiency payment means any payment on Upland cotton made by the Commodity Credit Corporation to a producer in accordance with 7 CFR 713.55.
(o) Importer means any person who enters, or withdraws from warehouse, cotton for consumption in the customs territory of the United States and import means any such entry.
(p) Customs Service means the United States Customs Service of the United States Department of Treasury.
(q) Cotton means:
§ 1205.510 Levy of assessments.

(a) Producer assessments. An assessment of $1 per bale for cotton research and promotion is hereby levied on each bale of Upland cotton that is produced from cotton harvested and ginned except cotton consumed by any governmental agency from its own production. Such assessment shall be payable and collected only once on each bale.

(1) A supplemental assessment for cotton research and promotion in addition to the $1 per bale assessment provided for in paragraph (a) of this section, is hereby levied on each bale of Upland cotton harvested and ginned except cotton consumed by any governmental agency from its own production. The supplemental assessment rate shall be levied at the rate of five-tenths of one percent of:

(i) The current value of the cotton multiplied by the number of pounds of lint cotton or;

(ii) The current value of the cotton converted to a fixed amount per bale as reflected in the following assessment chart:

<table>
<thead>
<tr>
<th>Current value (cents per pound)</th>
<th>Supplemental Assessment, dollars per bale</th>
</tr>
</thead>
<tbody>
<tr>
<td>.00 to 9.99</td>
<td>0.15</td>
</tr>
<tr>
<td>10.00 to 19.99</td>
<td>.40</td>
</tr>
<tr>
<td>20.00 to 29.99</td>
<td>.65</td>
</tr>
<tr>
<td>30.00 to 39.99</td>
<td>.90</td>
</tr>
<tr>
<td>40.00 to 49.99</td>
<td>1.15</td>
</tr>
<tr>
<td>50.00 to 59.99</td>
<td>1.40</td>
</tr>
<tr>
<td>60.00 to 69.99</td>
<td>1.65</td>
</tr>
<tr>
<td>70.00 to 79.99</td>
<td>1.90</td>
</tr>
<tr>
<td>80.00 to 89.99</td>
<td>2.15</td>
</tr>
<tr>
<td>90.00 to 99.99</td>
<td>2.40</td>
</tr>
<tr>
<td>100.00 to 119.99</td>
<td>2.65</td>
</tr>
</tbody>
</table>

*Assessment is calculated on 5⁄10 of 1 percent of the mid-point of each 10¢ increment, based on a 500 lb. bale and converted to a fixed amount per bale.

(2) Each marketing year the collecting handler must select one of the two options for collecting the supplemental assessment as provided in paragraph (a)(1) of this section. The handler shall notify the Cotton Board as to the method selected at the time the handler files the first handler report each marketing year.

(b) Importer assessment. An assessment for cotton research and promotion of $1 per bale is hereby levied on each bale of cotton, or the bale equivalent thereof for cotton in cotton-containing products identified in the HTS conversion factor table in paragraph (b)(3) of this section and imported into the United States on or