Agricultural Marketing Service, USDA

§ 1205.30 Instructions and forms.

The Administrator is hereby authorized to prescribe additional instructions and forms consistent with the provisions of this subpart to govern conduct of the sign-up period.

Subpart—Procedures for the Conduct of Referenda in Connection With Cotton Research and Promotion Order

Source: 74 FR 51070, Oct. 5, 2009, unless otherwise noted.

§ 1205.200 General.

Referenda for the purpose of ascertaining whether producers and importers favor the issuance, continuance, amendment, suspension, or termination of the Cotton Research and Promotion Order shall be conducted in accordance with this subpart.

§ 1205.201 Definitions.


(b) Administrator means the Administrator of the Agricultural Marketing Service, or any officer or employee of USDA to whom authority has been delegated to act in the Administrator’s stead.

(c) Agricultural Marketing Service also referred to as “AMS” means the Agricultural Marketing Service of the Department.

(d) Cotton means all Upland cotton harvested in the United States or imports of Upland cotton, including the Upland cotton content of the products derived thereof. The term cotton shall not, however, include any entry of imported cotton by an importer which has a value or weight less than the de minimis value established by the Secretary or industrial products as that term is defined by regulation.

(e) Upland Cotton means all cultivated varieties of the species Gossypium hirsutum L.

(f) Department means the U.S. Department of Agriculture.

(g) Deputy Administrator means the Deputy Administrator for Field Operations and also referred to as “DAFO.”

(h) Farm Service Agency also referred to as “FSA” means the Farm Service Agency of the Department.

(i) (1) Importer means any person who enters, or withdraws from warehouse, cotton for consumption in the customs territory of the United States and who, during a 12-month period ending no later than 90 days prior to the conduct of the referendum, imported Upland cotton, and (2) the term import means any such entry.

(j) Order means the Cotton Research and Promotion Order.

(k) Person means any individual 18 years of age or older, or any partnership, corporation, association, or any other entity.

(l) Producer means any person who shares in a cotton crop, or in the proceeds thereof, as an owner of the farm, cash tenant, landlord of a share tenant, share tenant, or sharecropper, that planted the cotton during the representative period.

(m) Representative Period means the period designated by the Secretary pursuant to section 8 of the Act (7 U.S.C. 2107).

(n) Secretary means the Secretary of Agriculture or any other officer or employee of the Department of Agriculture to whom there has heretofore been delegated, or to whom there may be hereafter be delegated, the authority to act in the Secretary’s stead.

(o) State means each of the 50 states.

(p) United States means 50 states of the United States of America.

(q) Customs and Border Protection means the U.S. Customs and Border Protection of the Department of Homeland Security. Customs and Border Protection is also referred to as “CBP.”

§ 1205.202 Agencies through which a referendum shall be conducted.

(a) Agricultural Marketing Service. The Administrator shall:

(1) Determine the referendum period.

(2) Give producers and importers reasonable advance notice of the referendum.

(i) by utilizing without advertising expense, available media of public information (including, but not being limited to, press and radio facilities) to