

(e) Grants and assistance**(1) In general**

Subject to subsection (g), under the Program, the Secretary shall make, on a competitive basis, annual grants to eligible entities.

(2) Maximum amount of grants

A grant under paragraph (1) shall be in an amount that does not exceed the lesser of—

(A) \$1,000,000; or

(B) twice the dollar amount of the resources (in cash or in kind) that the eligible entity demonstrates are available, or have been committed to be made available, to the eligible entity in accordance with subsection (d)(1)(C).

(3) Maximum number of grants**(A) First fiscal year of Program**

In the first fiscal year of the Program, the Secretary shall make grants to not more than 5 eligible entities.

(B) Second fiscal year of Program

In the second fiscal year of the Program, the Secretary may make grants to—

(i) the eligible entities to which grants were made under subparagraph (A); and

(ii) not more than 10 additional eligible entities.

(4) State limitation**(A) In general**

Subject to subparagraph (B), in the first 3 fiscal years of the Program, the Secretary shall not make a grant under the Program to more than 1 entity in any 1 State.

(B) Collaboration

Nothing in subparagraph (A) precludes a recipient of a grant under the Program from collaborating with any other institution with respect to activities conducted using the grant.

(f) Use of funds

An eligible entity to which a grant is made under the Program may use the grant only for the following purposes (but only to the extent that the use is not described in section 1627c(d)(2) of this title²):

(1) Applied research.

(2) Consulting services.

(3) Hiring of employees, at the discretion of the board of directors of the Agriculture Innovation Center of the eligible entity.

(4) The making of matching grants, each of which shall be in an amount not to exceed \$5,000, to agricultural producers, except that the aggregate amount of all such matching grants made by the eligible entity shall be not more than \$50,000.

(5) Legal services.

(6) Any other related cost, as determined by the Secretary.

(g) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 107-171, title VI, § 6402, May 13, 2002, 116 Stat. 426; Pub. L. 110-234, title VI, § 6203, May 22, 2008, 122 Stat. 1207; Pub. L. 110-246, § 4(a), title VI, § 6203, June 18, 2008, 122 Stat. 1664, 1969; Pub. L. 113-79, title VI, § 6204, Feb. 7, 2014, 128 Stat. 857; Pub. L. 115-334, title VII, § 7608, title X, § 10102(c)(2), Dec. 20, 2018, 132 Stat. 4829, 4898.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of the Agricultural Marketing Act of 1946 which comprises this chapter.

Section was formerly set out as a note under section 1621 of this title.

AMENDMENTS

2018—Subsec. (d)(2). Pub. L. 115-334, § 7608(1)(A), substituted “a diverse group of representatives of public and private entities, including the following:” for “representatives of each of the following groups” in introductory provisions.

Subsec. (d)(2)(A). Pub. L. 115-334, § 7608(1)(B), substituted “Two” for “The 2”.

Subsec. (d)(2)(B). Pub. L. 115-334, § 7608(1)(C), inserted “or a State legislator,” after “agency.”

Subsec. (d)(2)(C). Pub. L. 115-334, § 7608(1)(D), amended subpar. (C) generally. Prior to amendment, subpar. (C) read as follows: “Entities representing the 4 highest grossing commodities produced in the State, determined on the basis of annual gross cash sales.”

Subsec. (e)(1). Pub. L. 115-334, § 7608(2), substituted “subsection (g)” for “subsection (i)”.

Subsec. (f). Pub. L. 115-334, § 10102(c)(2), substituted “section 1627c(d)(2) of this title” for “section 1632a(d) of this title” in introductory provisions.

Subsecs. (g) to (i). Pub. L. 115-334, § 7608(3), added subsec. (g) and struck out former subsecs. (g) to (i) which related to research on effects on the agricultural sector, report to Congress, and authorization of appropriations, respectively.

2014—Subsec. (i). Pub. L. 113-79 substituted “\$1,000,000 for each of fiscal years 2014 through 2018” for “\$6,000,000 for each of fiscal years 2008 through 2012”.

2008—Subsec. (i). Pub. L. 110-246, § 6203, added subsec. (i) and struck out former subsec. (i). Prior to amendment, text read as follows: “Of the amount made available under section 231(a)(1) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106-224) for each fiscal year, the Secretary shall use to carry out this section—

“(1) not less than \$3,000,000 for fiscal year 2002; and

“(2) not less than \$6,000,000 for each of fiscal years 2003 and 2004.”

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

§ 1632c. Acer access and development program**(a) Grants authorized**

The Secretary of Agriculture may make competitive grants to States, tribal governments, and research institutions to support the efforts of such States, tribal governments, and research institutions to promote the domestic maple syrup industry through the following activities:

(1) Promotion of research and education related to maple syrup production.

²So in original. Probably should be followed by a closing parenthesis.

(2) Promotion of natural resource sustainability in the maple syrup industry.

(3) Market promotion for maple syrup and maple-sap products.

(4) Encouragement of owners and operators of privately held land containing species of trees in the genus *Acer*—

(A) to initiate or expand maple-sugaring activities on the land; or

(B) to voluntarily make the land available, including by lease or other means, for access by the public for maple-sugaring activities.

(b) Application

In submitting an application for a competitive grant under this section, a State, tribal government, or research institution shall include—

(1) a description of the activities to be supported using the grant funds;

(2) a description of the benefits that the State, tribal government, or research institution intends to achieve as a result of engaging in such activities; and

(3) an estimate of the increase in maple-sugaring activities or maple syrup production that the State, tribal government, or research institution anticipates will occur as a result of engaging in such activities.

(c) Rule of construction

Nothing in this section shall be construed so as to preempt a State or tribal government law, including a State or tribal government liability law.

(d) Definition of maple-sugaring

In this section, the term “maple-sugaring” means the collection of sap from any species of tree in the genus *Acer* for the purpose of boiling to produce food.

(e) Regulations

The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 113-79, title XII, §12306, Feb. 7, 2014, 128 Stat. 988; Pub. L. 115-334, title XII, §12501, Dec. 20, 2018, 132 Stat. 4982.)

CODIFICATION

Section was enacted as part of the Agricultural Act of 2014, and not as part of the Agricultural Marketing Act of 1946 which comprises this chapter.

AMENDMENTS

2018—Subsec. (f). Pub. L. 115-334 substituted “2023” for “2018”.

§ 1632d. Dairy business innovation initiatives

(a) Definitions

In this section:

(1) Dairy business

The term “dairy business” means a business that develops, produces, markets, or distributes dairy products.

(2) Initiative

The term “initiative” means a dairy product and business innovation initiative established under subsection (b).

(b) Establishment

The Secretary shall establish not less than 3 regionally-located dairy product and business innovation initiatives for the purposes of—

(1) diversifying dairy product markets to reduce risk and develop higher-value uses for dairy products;

(2) promoting business development that diversifies farmer income through processing and marketing innovation; and

(3) encouraging the use of regional milk production.

(c) Selection of initiatives

An initiative—

(1) shall be positioned to draw on existing dairy industry resources, including activities conducted by the National Dairy Promotion and Research Board and other dairy promotion entities, research capacity, academic and industry expertise, a density of dairy farms or farmland suitable for dairying, and dairy businesses; and

(2) may serve a certain product niche, such as specialty cheese, or serve dairy businesses with dairy products derived from the milk of a specific type of dairy animal, including dairy products made from cow milk, sheep milk, and goat milk.

(d) Entities eligible to host initiative

(1) In general

Subject to paragraph (2), any of the following entities may submit to the Secretary an application to host an initiative:

(A) A State department of agriculture or other State entity.

(B) A nonprofit organization.

(C) An institution of higher education.

(D) A cooperative extension service.

(2) Capacity of eligible entity

Any entity described in subparagraphs (A) through (D) of paragraph (1) shall be eligible to submit an application under that paragraph if the entity has—

(A) a capacity to provide consultation and expertise necessary to advance the purpose and activities of the proposed initiative; and

(B) expertise in grant distribution and tracking.

(3) Ineligible entity

A dairy promotion program shall not be eligible to host an initiative under this section.

(e) Partners

(1) In general

An entity described in subsection (d)(1) may establish as a partner an organization or entity described in paragraph (2)—

(A) prior to the submission of the application under that subsection; or

(B) after approval of the application, in consultation with the Secretary.

(2) Partner described

A partner under paragraph (1) shall be an organization or entity with expertise or experience in dairy, including the marketing, research, education, or promotion of dairy.

(f) Activities of initiatives

(1) Direct assistance to dairy businesses

An initiative shall provide nonmonetary assistance directly to dairy businesses through