

114TH CONGRESS
1ST SESSION

H. R. 4205

To permit producers of “Choose and Cut” Christmas trees to opt out of the Christmas tree promotion, research, and information order.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2015

Mr. McCAUL introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To permit producers of “Choose and Cut” Christmas trees to opt out of the Christmas tree promotion, research, and information order.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Christmas Tree Tax
5 Exemption Act”.

1 **SEC. 2. AUTHORITY OF “CHOOSE AND CUT” CHRISTMAS**
2 **TREE PRODUCERS TO OPT OUT OF THE**
3 **CHRISTMAS TREE PROMOTION, RESEARCH,**
4 **AND INFORMATION ORDER.**

5 (a) **AUTHORITY OF PRODUCERS TO OPT OUT.**—The
6 Secretary of Agriculture shall permit a Choose and Cut
7 Christmas tree producer to opt out of the Christmas tree
8 promotion, research, and information order contained in
9 part 1214 of title 7, Code of Federal Regulations, and
10 issued by the Secretary pursuant to the Commodity Pro-
11 motion, Research, and Information Act of 1996 (7 U.S.C.
12 7411 et seq.) with respect to Christmas trees produced
13 by the producer and sold directly to final consumers.

14 (b) **DEFINITIONS.**—In this section:

15 (1) **CHOOSE AND CUT CHRISTMAS TREE PRO-**
16 **DUCER.**—The term “Choose and Cut Christmas tree
17 producer” means a producer who produces Christ-
18 mas trees in the United States, allows consumers to
19 select a Christmas tree for purchase before the
20 Christmas tree is severed or cut from its roots, and
21 sells that Christmas tree directly to the final con-
22 sumer.

23 (2) **CHRISTMAS TREE.**—The term “Christmas
24 tree” means any tree of the coniferous species that
25 is severed or cut from its roots and marketed as a
26 Christmas tree for holiday use.

1 (3) PRODUCER.—The term “producer” means
2 any person who is engaged in the production of
3 Christmas trees in the United States, and who owns,
4 or shares the ownership and risk of loss of the pro-
5 duction of Christmas trees or a person who is en-
6 gaged in the business of producing, or causing to be
7 domestically produced, Christmas trees beyond per-
8 sonal use and having value at first point of sale.

○