

Public Law 108–470
108th Congress

An Act

Dec. 21, 2004
[H.R. 4620]

To confirm the authority of the Secretary of Agriculture to collect approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

7 USC 7416a.

SECTION 1. CONFIRMATION OF AUTHORITY OF SECRETARY OF AGRICULTURE TO COLLECT STATE COMMODITY ASSESSMENTS.

(a) COLLECTION FROM MARKETING ASSISTANCE LOANS.—The Secretary of Agriculture may collect commodity assessments from the proceeds of a marketing assistance loan for a producer if the assessment is required to be paid by the producer or the first purchaser of a commodity pursuant to a State law or pursuant to an authority administered by the Secretary. This collection authority does not extend to a State tax or other revenue collection activity by a State.

(b) COLLECTION PURSUANT TO AGREEMENT.—The collection of an assessment under subsection (a) shall be made as specified in an agreement between the Secretary of Agriculture and the State requesting the collection.

Approved December 21, 2004.

LEGISLATIVE HISTORY—H.R. 4620 (S. 2866):
CONGRESSIONAL RECORD, Vol. 150 (2004):
Oct. 5, considered and passed House.
Dec. 7, considered and passed Senate.