

- (1) the capacity and technical expertise to provide the services described in subsection (a)(1);
- (2) an established plan outlining support of the applicant in the agricultural community, and
- (3) the availability of resources (in cash or in kind) of definite value to sustain the Center following establishment.

(Pub. L. 106-224, title II, § 231, June 20, 2000, 114 Stat. 409; Pub. L. 107-171, title VI, § 6401(a), May 13, 2002, 116 Stat. 424; Pub. L. 110-234, title VI, § 6202, May 22, 2008, 122 Stat. 1206; Pub. L. 110-246, § 4(a), title VI, § 6202, June 18, 2008, 122 Stat. 1664, 1967; Pub. L. 113-79, title VI, § 6203, Feb. 7, 2014, 128 Stat. 857; Pub. L. 115-334, title X, § 10102(c)(1), Dec. 20, 2018, 132 Stat. 4897.)

Editorial Notes

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 L. 110-234 were repealed by section 4(a) of Pub.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 Agricultural Risk Protection Act of 2000, 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—Pub. L. 115-334, § 10102(c)(1)(A), substituted “Agricultural marketing resource center pilot project” for “Value-added agricultural product market development grants” in section catchline.

Subsec. (a). Pub. L. 115-334, § 10102(c)(1)(D)(i), in introductory provisions, substituted “The Secretary shall not use more than 2.5 percent of the funds made available to carry out the Local Agriculture Market Program established under section 1627c of this title to establish a pilot project (to be known as the ‘Agricultural Marketing Resource Center’) at an eligible institution described in subsection (b)” for “Notwithstanding the limitation on grants in subsection (b)(2), the Secretary shall not use more than 5 percent of the funds made available under subsection (b) to establish a pilot project (to be known as the ‘Agricultural Marketing Resource Center’) at an eligible institution described in paragraph (2)”.

Pub. L. 115-334, § 10102(c)(1)(B), (C)(i), (D)(ii), redesignated subsec. (c)(1) as subsec. (a), redesignated subpars. (A) and (B) of former subsec. (c)(1) as pars. (1) and (2), respectively, of subsec. (a), realigned margins, and struck out former subsec. (a) which defined terms for this section.

Subsec. (b). Pub. L. 115-334, § 10102(c)(1)(B), (C)(i), (E)(i), redesignated subsec. (c)(2) as (b), redesignated subpars. (A) to (C) of former subsec. (c)(2) as pars. (1) to (3), respectively, of subsec. (b), realigned margins, and struck out former subsec. (b) which related to grant program.

Subsec. (b)(1). Pub. L. 115-334, § 10102(c)(1)(E)(ii), substituted “subsection (a)(1)” for “paragraph (1)(A)”.

Subsec. (c). Pub. L. 115-334, § 10102(c)(1)(C)(ii), struck out subsec. (c) designation and heading “Agricultural Marketing Resource Center pilot project”. Pars. (1) and (2) of former subsec. (c) redesignated subsecs. (a) and (b), respectively.

Subsecs. (d), (e). Pub. L. 115-334, § 10102(c)(1)(B), struck out subsecs. (d) and (e) which related to matching funds and limitation, respectively.

2014—Subsec. (b)(6). Pub. L. 113-79, § 6203(1), added par. (6) and struck out former par. (6). Prior to amendment, text read as follows: “In awarding grants under this

subsection, the Secretary shall give priority to projects that contribute to increasing opportunities for—

“(A) beginning farmers or ranchers;

“(B) socially disadvantaged farmers or ranchers; and

“(C) operators of small- and medium-sized farms and ranches that are structured as a family farm.”

Subsec. (b)(7)(A). Pub. L. 113-79, § 6203(2)(A), substituted “On February 14, 2014,” for “On October 1, 2008,” and “\$63,000,000” for “\$15,000,000”.

Subsec. (b)(7)(B). Pub. L. 113-79, § 6203(2)(B), substituted “2018” for “2012”.

2008—Subsec. (a). Pub. L. 110-246, § 6202(a), added subsec. (a) and struck out former subsec. (a) which defined “value-added agricultural product”.

Subsec. (b)(1). Pub. L. 110-246, § 6202(b)(1), substituted “paragraph (7)” for “paragraph (4)” in introductory provisions.

Subsec. (b)(4) to (7). Pub. L. 110-246, § 6202(b)(2), added pars. (4) to (7) and struck out former par. (4). Prior to amendment, text read as follows: “Not later than 30 days after May 13, 2002, on October 1, 2002, and on each October 1 thereafter through October 1, 2006, of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this subsection \$40,000,000, to remain available until expended.”

2002—Subsecs. (a), (b). Pub. L. 107-171, § 6401(a)(2), added subsecs. (a) and (b) and struck out former subsec. (a) which related to establishment of grant program, maximum amount per grant recipient, and producer strategies. Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 107-171, § 6401(a)(1), (3), redesignated subsec. (b) as (c) and, in par. (1), substituted “subsection (b)(2)” for “subsection (a)(2)”, “5 percent” for “\$5,000,000”, and “subsection (b)” for “subsection (a)” in introductory provisions. Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 107-171, § 6401(a)(4), which directed amendment of subsec. (d) by substituting “subsections (b) and (c)” for “subsections (a) and (b)”, could not be executed because that phrase does not appear.

Pub. L. 107-171, § 6401(a)(1), redesignated subsec. (c) as (d). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 107-171, § 6401(a)(1), redesignated subsec. (d) as (e).

Statutory Notes and Related Subsidiaries

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.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-171, title VI, § 6401(b), May 13, 2002, 116 Stat. 426, provided that:

“(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsection (a) [amending this section] apply beginning on October 1, 2002.

“(2) FUNDING.—Funds made available under section 231(b)(4)(A)(i) [probably should be 231(b)(4)] of the Agricultural Risk Protection Act of 2000 [7 U.S.C. 1632a(b)(4)] (as amended by subsection (a)(2)) shall be made available not later than 30 days after the date of enactment of this Act [May 13, 2002].”

§ 1632b. Agriculture Innovation Center Demonstration Program

(a) Purpose

The purpose of this section is to direct the Secretary of Agriculture to establish a demonstration program under which agricultural producers are provided—

(1) technical assistance, consisting of engineering services, applied research, scale pro-

duction, and similar services, to enable the agricultural producers to establish businesses to produce value-added agricultural commodities or products;

(2) assistance in marketing, market development, and business planning; and

(3) organizational, outreach, and development assistance to increase the viability, growth, and sustainability of businesses that produce value-added agricultural commodities or products.

(b) Definitions

In this section:

(1) Program

The term “Program” means the Agriculture Innovation Center Demonstration Program established under subsection (c).

(2) Secretary

The term “Secretary” means the Secretary of Agriculture.

(c) Establishment of Program

The Secretary shall establish a demonstration program, to be known as the “Agriculture Innovation Center Demonstration Program” under which the Secretary shall—

(1) make grants to assist eligible entities in establishing Agriculture Innovation Centers to enable agricultural producers to obtain the assistance described in subsection (a); and

(2) provide assistance to eligible entities in establishing Agriculture Innovation Centers through the research and technical services of the Department of Agriculture.

(d) Eligibility requirements

(1) In general

An entity shall be eligible for a grant and assistance described in subsection (c) to establish an Agriculture Innovation Center if—

(A) the entity—

(i) has provided services similar to the services described in subsection (a); or

(ii) demonstrates the capability of providing such services;

(B) the application of the entity for the grant and assistance includes a plan, in accordance with regulations promulgated by the Secretary, that outlines—

(i) the support for the entity in the agricultural community;

(ii) the technical and other expertise of the entity; and

(iii) the goals of the entity for increasing and improving the ability of local agricultural producers to develop markets and processes for value-added agricultural commodities or products;

(C) the entity demonstrates that adequate resources (in cash or in kind) are available, or have been committed to be made available, to the entity, to increase and improve the ability of local agricultural producers to develop markets and processes for value-added agricultural commodities or products; and

(D) the Agriculture Innovation Center of the entity has a board of directors established in accordance with paragraph (2).

(2) Board of directors

Each Agriculture Innovation Center of an eligible entity shall have a board of directors composed of a diverse group of representatives of public and private entities, including the following:¹

(A) Two general agricultural organizations with the greatest number of members in the State in which the eligible entity is located.

(B) The department of agriculture, or similar State department or agency, or a State legislator, of the State in which the eligible entity is located.

(C) Four entities representing commodities produced in the State.

(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)(5)(D) of this title²):

(1) Applied research.

¹So in original.

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

(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; Pub. L. 117-103, div. A, title VII, § 777, Mar. 15, 2022, 136 Stat. 99.)

Editorial Notes

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

2022—Subsec. (f). Pub. L. 117-103 substituted “section 1627c(d)(5)(D) of this title” for “section 1627c(d)(2) of this title” in introductory provisions.

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 avail-

able 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.”

Statutory Notes and Related Subsidiaries

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.

(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.