

section and sections 2902 to 2911 of this title, omitting sections 2912 to 2918 of this title and provisions set out as a note under this section, and enacting provisions set out as a note under this section] may be cited as the ‘Beef Promotion and Research Act of 1985.’”

#### SHORT TITLE

Pub. L. 94-294, §1, May 28, 1976, 90 Stat. 529, provided: “That this Act [enacting this chapter and provisions set out as notes under this section] shall be known as the ‘Beef Research and Information Act.’”

#### SEPARABILITY

Pub. L. 94-294, §19, May 28, 1976, 90 Stat. 537, which provided that if any provision of this Act [enacting this chapter and provisions set out as notes under this section] or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby, was omitted in the general revision of sections 2 through 20 of Pub. L. 94-294 by Pub. L. 99-198, title XVI, §1601(b), Dec. 28, 1985, 99 Stat. 1597.

### § 2902. Definitions

For purposes of this chapter—

- (1) the term “beef” means flesh of cattle;
- (2) the term “beef products” means edible products produced in whole or in part from beef, exclusive of milk and products made therefrom;
- (3) the term “Board” means the Cattlemen’s Beef Promotion and Research Board established under section 2904(1) of this title;
- (4) the term “cattle” means live domesticated bovine animals regardless of age;
- (5) the term “Committee” means the Beef Promotion Operating Committee established under section 2904(5) of this title;
- (6) the term “consumer information” means nutritional data and other information that will assist consumers and other persons in making evaluations and decisions regarding the purchasing, preparing, and use of beef and beef products;
- (7) the term “Department” means the Department of Agriculture.<sup>1</sup>
- (8) the term “importer” means any person who imports cattle, beef, or beef products from outside the United States;
- (9) the term “industry information” means information and programs that will lead to the development of new markets, marketing strategies, increased efficiency, and activities to enhance the image of the cattle industry;
- (10) The<sup>2</sup> term “order” means a beef promotion and research order issued under section 2903 of this title.<sup>1</sup>
- (11) the term “person” means any individual, group of individuals, partnership, corporation, association, cooperative, or any other entity;
- (12) the term “producer” means any person who owns or acquires ownership of cattle, except that a person shall not be considered to be a producer if the person’s only share in the proceeds of a sale of cattle or beef is a sales commission, handling fee, or other service fee;
- (13) the term “promotion” means any action, including paid advertising, to advance the image and desirability of beef and beef

products with the express intent of improving the competitive position and stimulating sales of beef and beef products in the marketplace;

(14) the term “qualified State beef council” means a beef promotion entity that is authorized by State statute or is organized and operating within a State, that receives voluntary contributions and conducts beef promotion, research, and consumer information programs, and that is recognized by the Board as the beef promotion entity within such State;

(15) the term “research” means studies testing the effectiveness of market development and promotion efforts, studies relating to the nutritional value of beef and beef products, other related food science research, and new product development;

(16) the term “Secretary” means the Secretary of Agriculture;

(17) The<sup>2</sup> term “State” means each of the 50 States; and

(18) the term “United States” means the several States and the District of Columbia.

(Pub. L. 94-294, §3, May 28, 1976, 90 Stat. 530; Pub. L. 99-198, title XVI, §1601(b), Dec. 23, 1985, 99 Stat. 1598.)

#### Editorial Notes

##### AMENDMENTS

1985—Pub. L. 99-198 amended section generally.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-198 effective Jan. 1, 1986, see section 1601(c) of Pub. L. 99-198, set out as a note under section 2901 of this title.

### § 2903. Issuance of orders

(a) During the period beginning on January 1, 1986, and ending thirty days after receipt of a proposal for a beef promotion and research order, the Secretary shall publish such proposed order and give due notice and opportunity for public comment on such proposed order. Such proposal may be submitted by any organization meeting the requirements for certification under section 2905 of this title or any interested person, including the Secretary.

(b) After notice and opportunity for public comment are given, as provided for in subsection (a), the Secretary shall issue a beef promotion and research order. The order shall become effective not later than one hundred and twenty days following publication of the proposed order.

(Pub. L. 94-294, §4, May 28, 1976, 90 Stat. 530; Pub. L. 99-198, title XVI, §1601(b), Dec. 23, 1985, 99 Stat. 1599.)

#### Editorial Notes

##### AMENDMENTS

1985—Pub. L. 99-198 amended section generally, substituting provisions relating to issuance of orders for provisions relating to orders of Secretary to producers and slaughterers.

<sup>1</sup> So in original. The period probably should be a semicolon.

<sup>2</sup> So in original. Probably should not be capitalized.