

and within a time period prescribed by the Board, but in no event less than 90 days after the date of publication of the results of the referendum; and

(ii) on submission of proof satisfactory to the Board that the person paid the assessment for which refund is sought and did not collect the assessment from another person.

### (C) Surplus funds

Any funds not refunded under this paragraph shall be released to be used to carry out this chapter.

(Pub. L. 101-624, title XIX, §1960, Nov. 28, 1990, 104 Stat. 3879; Pub. L. 103-194, §5, Dec. 14, 1993, 107 Stat. 2295.)

## Editorial Notes

### AMENDMENTS

1993—Subsec. (a). Pub. L. 103-194 substituted “Not later than 30 months after the date on which the collection of assessments begins under the order pursuant to section 6204(d) of this title,” for “Not later than 2 years after the date on which the Secretary first issues an order under section 6203(a).”.

### § 6210. Suspension and termination

#### (a) Finding of Secretary

If the Secretary finds that an order issued under section 6203(a) of this title, or a provision of such order, obstructs or does not tend to effectuate the purposes of this chapter, the Secretary shall terminate or suspend the operation of such order or provision.

#### (b) Periodic referenda

The Secretary may periodically conduct a referendum to determine if lime producers, producer-handlers, and importers favor the continuation, termination, or suspension of any order issued under section 6203(a) of this title and in effect at the time of such referendum.

#### (c) Required referenda

The Secretary shall hold a referendum under subsection (b)—

- (1) at the request of the Board; or
- (2) if not less than 10 percent of the lime producers, producer-handlers, and importers subject to assessment under this chapter submit a petition requesting such a referendum.

#### (d) Limitation

The termination or suspension of any order, or any provision thereof, shall not be considered an order within the meaning of this chapter.

#### (e) Vote

The Secretary shall suspend or terminate the order at the end of the marketing year if the Secretary determines that—

- (1) the suspension or termination of the order is favored by not less than a majority of those persons voting in a referendum under subsection (b); and
- (2) the producers, producer-handlers, and importers comprising this majority produce and import more than 50 percent of the volume of limes produced and imported by those voting in the referendum.

(Pub. L. 101-624, title XIX, §1961, Nov. 28, 1990, 104 Stat. 3880.)

### § 6211. Authorization of appropriations

#### (a) In general

There are authorized to be appropriated for each fiscal year such funds as are necessary to carry out this chapter.

#### (b) Administrative expenses

The funds so appropriated shall not be available for payment of the expenses or expenditures of the Board in administering any provisions of an order issued under this chapter.

(Pub. L. 101-624, title XIX, §1962, Nov. 28, 1990, 104 Stat. 3880.)

### § 6212. Regulations

The Secretary may issue such regulations as are necessary to carry out this chapter.

(Pub. L. 101-624, title XIX, §1963, Nov. 28, 1990, 104 Stat. 3881.)

## CHAPTER 92—SOYBEAN PROMOTION, RESEARCH, AND CONSUMER INFORMATION

### Sec.

6301.	Findings and declaration of policy.
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### § 6301. Findings and declaration of policy

#### (a) Findings

Congress finds that—

(1) soybeans are an important source of nutritious foods that are a valuable part of the human diet and are an important feedstuff for the livestock industry;

(2) the production of soybeans plays a significant role in the economy of the United States in that soybeans are produced by thousands of soybean producers, processed by numerous processing entities, and soybeans and soybean products produced in the United States are consumed by people and livestock throughout the United States and foreign countries;

(3) soybeans and soybean products should be readily available and marketed efficiently to ensure that consumers have an adequate supply of soybean products at a reasonable price;

(4) the maintenance and expansion of existing markets and development of new markets for soybeans and soybean products are vital to the welfare of soybean producers and processors and those concerned with marketing soybeans and soybean products, as well as to the general economy of the United States, and are necessary to ensure the ready availability and efficient marketing of soybeans and soybean products;

(5) there exist established State and national organizations conducting soybean promotion,

research, and consumer education programs that are valuable to the efforts of promoting the consumption of soybeans and soybean products;

(6) the cooperative development, financing, and implementation of a coordinated national program of soybean promotion, research, consumer information, and industry information are necessary to maintain and expand existing markets and develop new markets for soybeans and soybean products; and

(7) soybeans and soybean products move in interstate and foreign commerce, and soybeans and soybean products that do not move in such channels of commerce directly burden or affect interstate commerce in soybeans and soybean products.

#### (b) Policy

Congress declares that it is in the public interest to authorize the establishment, through the exercise of the powers provided in this chapter, of an orderly procedure for developing, financing through assessments on domestically-produced soybeans, and implementing a program of promotion, research, consumer information, and industry information designed to strengthen the soybean industry's position in the marketplace, to maintain and expand existing domestic and foreign markets and uses for soybeans and soybean products, and to develop new markets and uses for soybeans and soybean products.

#### (c) Construction

Nothing in this chapter may be construed to provide for the control of production or otherwise limit the right of individual producers to produce soybeans.

(Pub. L. 101-624, title XIX, §1966, Nov. 28, 1990, 104 Stat. 3881.)

### Statutory Notes and Related Subsidiaries

#### SHORT TITLE

Pub. L. 101-624, title XIX, §1965, Nov. 28, 1990, 104 Stat. 3881, provided that: "This subtitle [subtitle E (§§1965-1976) of title XIX of Pub. L. 101-624, enacting this chapter] may be cited as the 'Soybean Promotion, Research, and Consumer Information Act'."

### § 6302. Definitions

As used in this chapter:

#### (1) Board

The term "Board" means the United Soybean Board established under section 6304(b) of this title.

#### (2) Commerce

The term "commerce" includes interstate, foreign, and intrastate commerce.

#### (3) Committee

The term "Committee" means the Soybean Program Coordinating Committee established under section 6304(g) of this title.

#### (4) Consumer information

The term "consumer information" means information that will assist consumers and other persons in making evaluations and decisions regarding the purchase, preparation, and use of soybeans or soybean products.

#### (5) Department

The term "Department" means the Department of Agriculture.

#### (6) First purchaser

The term "first purchaser" means—

(A) except as provided in subparagraph (B), any person buying or otherwise acquiring from a producer soybeans produced by such producer; or

(B) the Commodity Credit Corporation, in any case in which soybeans are pledged as collateral for a loan issued under any price support loan program administered by the Commodity Credit Corporation.

#### (7) Industry information

The term "industry information" means information and programs that will lead to the development of new markets, new marketing strategies, or increased efficiency for the soybean industry, and activities to enhance the image of the soybean industry.

#### (8) Marketing

The term "marketing" means the sale or other disposition of soybeans or soybean products in any channel of commerce.

#### (9) Net market price

The term "net market price" means—

(A) except as provided in subparagraph (B), the sales price or other value received by a producer for soybeans after adjustments for any premium or discount based on grading or quality factors, as determined by the Secretary; or

(B) for soybeans pledged as collateral for a loan issued under any price support loan program administered by the Commodity Credit Corporation, the principal amount of the loan.

#### (10) Order

The term "order" means an order issued under section 6303 of this title.

#### (11) Person

The term "person" means any individual, group of individuals, partnership, corporation, association, cooperative, or any other legal entity.

#### (12) Producer

The term "producer" means any person engaged in the growing of soybeans in the United States who owns, or who shares the ownership and risk of loss of, such soybeans.

#### (13) Promotion

The term "promotion" means any action, including paid advertising, technical assistance, and trade servicing activities, to enhance the image or desirability of soybeans or soybean products in domestic and foreign markets, and any activity designed to communicate to consumers, importers, processors, wholesalers, retailers, government officials, or others information relating to the positive attributes of soybeans or soybean products or the benefits of importation, use, or distribution of soybeans and soybean products.

#### (14) Qualified State soybean board

The term "qualified State soybean board" means a State soybean promotion entity that