

shall hold such a referendum on request of the Board or any group of such processors that among them marketed during a representative period, as determined by the Secretary, 10 percent or more of the volume of fluid milk products marketed by all processors.

(2) Adjustment to assessment rate

The Secretary shall adjust the assessment rate under the order whenever the Secretary determines that the adjustment is favored—

(A) by at least 50 percent of fluid milk processors voting in the referendum; and

(B) by fluid milk processors that marketed during a representative period, as determined by the Secretary, 60 percent or more of the volume of fluid milk products marketed by all processors;

In no event shall the rate of assessment prescribed by the order exceed 20 cents per hundredweight.

(3) Effective date

The adjusted assessment rate shall be effective on a date, as determined by the Secretary, after the results of the referendum are known, but not later than 30 days after the referendum.

(4) Costs; manner

Subsections (c) and (d) of section 6413 of this title shall apply to a referendum conducted under this subsection.

(Pub. L. 101-624, title XIX, §1999P, Nov. 28, 1990, 104 Stat. 3926.)

§ 6416. Independent evaluation of programs

(a) Review and evaluation

The Comptroller General of the United States shall review and evaluate the order to—

(1) determine the effectiveness of the promotion program conducted under this chapter on fluid milk sales;

(2) determine if the assessments for the program have been passed back to milk producers by fluid milk processors; and

(3) make recommendations for future funding and assessment levels for the program.

(b) Report to Congress

The Comptroller General shall submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the valuations made under this section no later than January 1, 1995.

(Pub. L. 101-624, title XIX, §1999Q, Nov. 28, 1990, 104 Stat. 3926.)

§ 6417. 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 provision of any order issued under this chapter.

(Pub. L. 101-624, title XIX, §1999R, Nov. 28, 1990, 104 Stat. 3926.)

CHAPTER 94—ORGANIC CERTIFICATION

Sec.	Purposes.
6501.	Definitions.
6503.	National organic production program.
6504.	National standards for organic production.
6505.	Compliance requirements.
6506.	General requirements.
6507.	State organic certification program.
6508.	Prohibited crop production practices and materials.
6509.	Animal production practices and materials.
6510.	Handling.
6511.	Additional guidelines.
6512.	Other production and handling practices.
6513.	Organic plan.
6514.	Accreditation program.
6515.	Requirements of certifying agents.
6516.	Peer review of certifying agents.
6517.	National List.
6518.	National Organic Standards Board.
6519.	Recordkeeping, investigations, and enforcement.
6520.	Administrative appeal.
6521.	Administration.
6521a.	Organic agricultural product imports inter-agency working group.
6522.	Funding.
6523.	National organic certification cost-share program.
6524.	Organically produced food.

§ 6501. Purposes

It is the purpose of this chapter—

(1) to establish national standards governing the marketing of certain agricultural products as organically produced products;

(2) to assure consumers that organically produced products meet a consistent standard; and

(3) to facilitate interstate commerce in fresh and processed food that is organically produced.

(Pub. L. 101-624, title XXI, §2102, Nov. 28, 1990, 104 Stat. 3935.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 101-624, title XXI, §2101, Nov. 28, 1990, 104 Stat. 3935, provided that: “This title [enacting this chapter] may be cited as the ‘Organic Foods Production Act of 1990’.”

§ 6502. Definitions

As used in this chapter:

(1) Agricultural product

The term “agricultural product” means any agricultural commodity or product, whether raw or processed, including any commodity or product derived from livestock that is marketed in the United States for human or livestock consumption.

(2) Botanical pesticides

The term “botanical pesticides” means natural pesticides derived from plants.

(3) Certifying agent

(A) In general

The term “certifying agent” means the chief executive officer of a State or, in the