

cally), and carrying out an effective, continuous, and coordinated program of promotion, research, consumer information, and industry information designed to—

- (1) strengthen the position of the popcorn industry in the marketplace; and
- (2) maintain and expand domestic and foreign markets and uses for popcorn.

**(c) Purposes**

The purposes of this subchapter are to—

- (1) maintain and expand the markets for all popcorn products in a manner that—
  - (A) is not designed to maintain or expand any individual share of a producer or processor of the market;
  - (B) does not compete with or replace individual advertising or promotion efforts designed to promote individual brand name or trade name popcorn products; and
  - (C) authorizes and funds programs that result in government speech promoting government objectives; and
- (2) establish a nationally coordinated program for popcorn promotion, research, consumer information, and industry information.

**(d) Statutory construction**

This subchapter treats processors equitably. Nothing in this subchapter—

- (1) provides for the imposition of a trade barrier to the entry into the United States of imported popcorn for the domestic market; or
- (2) provides for the control of production or otherwise limits the right of any individual processor to produce popcorn.

(Pub. L. 104-127, title V, §572, Apr. 4, 1996, 110 Stat. 1074.)

**§ 7482. Definitions**

In this subchapter (unless the context otherwise requires):

**(1) Board**

The term “Board” means the Popcorn Board established under section 7484(b) of this title.

**(2) Commerce**

The term “commerce” means interstate, foreign, or intrastate commerce.

**(3) Consumer information**

The term “consumer information” means information and programs that will assist consumers and other persons in making evaluations and decisions regarding the purchase, preparation, and use of popcorn.

**(4) Department**

The term “Department” means the Department of Agriculture.

**(5) Industry information**

The term “industry information” means information or a program that will lead to the development of—

- (A) new markets, new marketing strategies, or increased efficiency for the popcorn industry; or
- (B) activities to enhance the image of the popcorn industry.

**(6) Marketing**

The term “marketing” means the sale or other disposition of unpopped popcorn for

human consumption in a channel of commerce, but does not include a sale or disposition to or between processors.

**(7) Order**

The term “order” means an order issued under section 7483 of this title.

**(8) Person**

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

**(9) Popcorn**

The term “popcorn” means unpopped popcorn (*Zea Mays L*) that is—

- (A) commercially grown;
- (B) processed in the United States by shelling, cleaning, or drying; and
- (C) introduced into a channel of commerce.

**(10) Process**

The term “process” means to shell, clean, dry, and prepare popcorn for the market, but does not include packaging popcorn for the market without also engaging in another activity described in this paragraph.

**(11) Processor**

The term “processor” means a person engaged in the preparation of unpopped popcorn for the market who owns or shares the ownership and risk of loss of the popcorn and who processes and distributes over 4,000,000 pounds of popcorn in the market per year.

**(12) Promotion**

The term “promotion” means an action, including paid advertising, to enhance the image or desirability of popcorn.

**(13) Research**

The term “research” means any type of study to advance the image, desirability, marketability, production, product development, quality, or nutritional value of popcorn.

**(14) Secretary**

The term “Secretary” means the Secretary of Agriculture.

**(15) State**

The term “State” means each of the 50 States and the District of Columbia.

**(16) United States**

The term “United States” means all of the States.

(Pub. L. 104-127, title V, §573, Apr. 4, 1996, 110 Stat. 1075.)

**§ 7483. Issuance of orders**

**(a) In general**

To effectuate the policy described in section 7481(b) of this title, the Secretary, subject to subsection (b), shall issue 1 or more orders applicable to processors. An order shall be applicable to all popcorn production and marketing areas in the United States. Not more than 1 order shall be in effect under this subchapter at any 1 time.

**(b) Procedure**

**(1) Proposal or request for issuance**

The Secretary may propose the issuance of an order, or an association of processors or