

**§§ 2287 to 2289. Omitted**

Sections 2287 to 2289 of this title were omitted in the general amendment of this chapter by Pub. L. 97-98, title XI, §1116(a), Dec. 22, 1981, 95 Stat. 1270.

Section 2287, Pub. L. 95-113, title XVIII, §1807, Sept. 29, 1977, 91 Stat. 1043, related to transmission of an annual report. See section 2284 of this title.

Section 2288, Pub. L. 95-113, title XVIII, §1808, Sept. 29, 1977, 91 Stat. 1044, related to budget prohibitions. See section 2285 of this title.

Section 2289, Pub. L. 95-113, title XVIII, §1809, Sept. 29, 1977, 91 Stat. 1044, related to termination of advisory committees. See section 2286 of this title.

## CHAPTER 56—UNFAIR TRADE PRACTICES AFFECTING PRODUCERS OF AGRICULTURAL PRODUCTS

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### § 2301. Congressional findings and declaration of policy

Agricultural products are produced in the United States by many individual farmers and ranchers scattered throughout the various States of the Nation. Such products in fresh or processed form move in large part in the channels of interstate and foreign commerce, and such products which do not move in these channels directly burden or affect interstate commerce. The efficient production and marketing of agricultural products by farmers and ranchers is of vital concern to their welfare and to the general economy of the Nation. Because agricultural products are produced by numerous individual farmers, the marketing and bargaining position of individual farmers will be adversely affected unless they are free to join together voluntarily in cooperative organizations as authorized by law. Interference with this right is contrary to the public interest and adversely affects the free and orderly flow of goods in interstate and foreign commerce.

It is, therefore, declared to be the policy of Congress and the purpose of this chapter to establish standards of fair practices required of handlers in their dealings in agricultural products.

(Pub. L. 90-288, §2, Apr. 16, 1968, 82 Stat. 93.)

#### SHORT TITLE

Pub. L. 90-288, §1, Apr. 16, 1968, 82 Stat. 93, provided: "That this Act [enacting this chapter] shall be known as the Agricultural Fair Practices Act of 1967."

### § 2302. Definitions

In this chapter:

#### (1) Agricultural products

The term "agricultural products" shall not include cotton or tobacco or their products.

### (2)(2)<sup>1</sup> Association of producers

#### (A) In general

The term "association of producers" means any association of producers of agricultural products engaged in marketing, bargaining, shipping, or processing as defined in section 1141j(a) of title 12, or in section 291 of this title.

#### (B) Inclusion

The term "association of producers" includes an organization whose membership is exclusively limited to agricultural producers and dedicated to promoting the common interest and general welfare of producers of agricultural products.

### (3)(3)<sup>1</sup> Handler

#### (A) In general

The term "handler" means any person engaged in the business or practice of (i) acquiring agricultural products from producers or associations of producers for processing or sale; or (ii) grading, packaging, handling, storing, or processing agricultural products received from producers or associations of producers; or (iii) contracting or negotiating contracts or other arrangements, written or oral, with or on behalf of producers or associations of producers with respect to the production or marketing of any agricultural product; or (iv) acting as an agent or broker for a handler in the performance of any function or act specified in clause (i), (ii), or (iii).

#### (B) Exclusion

The term "handler" does not include a person, other than a packer (as defined in section 191 of this title), that provides custom feeding services for a producer.

### (4) Producer

The term "producer" means a person engaged in the production of agricultural products as a farmer, planter, rancher, dairyman, fruit, vegetable, or nut grower.

(Pub. L. 90-288, §3, Apr. 16, 1968, 82 Stat. 94; Pub. L. 110-234, title XI, §11003, May 22, 2008, 122 Stat. 1354; Pub. L. 110-246, §4(a), title XI, §11003, June 18, 2008, 122 Stat. 1664, 2116.)

#### 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.

#### AMENDMENTS

2008—Pub. L. 110-246, §11003, in introductory provisions, substituted "In this chapter:" for "When used in this chapter—", redesignated subsecs. (e), (c), (a), and (b) as pars. (1) to (4), respectively, inserted par. headings, in pars. (2) and (3), inserted duplicate par. designations, designated existing provisions as subpar. (A), and added subpar. (B), in par. (3), redesignated cls. (1) to (4) as (i) to (iv), respectively, in cl. (iv), substituted "clause (i), (ii), or (iii)" for "clause (1), (2), or (3) of this paragraph", and struck out subsec. (d) which read as follows: "The term 'person' includes individuals, partnerships, corporations, and associations."

<sup>1</sup> So in original.