

Sec.	
4905.	Regulations.
4906.	Required terms in plans.
4907.	Permissive terms in plans.
4908.	Assessment procedures.
4909.	Petition and review.
4910.	Enforcement.
4911.	Investigation and power to subpoena.
4912.	Requirement of referendum.
4913.	Suspension or termination of plans.
4914.	Amendment procedure.
4915.	Separability.
4916.	Authorization of appropriations.

#### § 4901. Congressional findings and declaration of policy

(a) Congress finds that—

(1) the per capita consumption of watermelons in the United States has declined steadily in recent years;

(2) watermelons are an important cash crop to many farmers in the United States and are an economical, enjoyable, and healthful food for consumers;

(3) approximately 2,607,600,000 pounds of watermelons with a farm value of \$158,923,000 were produced in 1981 in the United States;

(4) watermelons move in the channels of interstate commerce, and watermelons that do not move in such channels directly affect interstate commerce;

(5) the maintenance and expansion of existing markets and the establishment of new or improved markets and uses for watermelons are vital to the welfare of watermelon growers and those concerned with marketing, using, handling, and importing watermelons, as well as the general economic welfare of the Nation; and

(6) the development and implementation of coordinated programs of research, development, advertising, and promotion are necessary to maintain and expand existing markets and establish new or improved markets and uses for watermelons.

(b) It is declared to be the policy of Congress that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the development, financing (through adequate assessments on watermelons harvested in the United States, or imported into the United States, for commercial use), and carrying out of an effective, continuous, and coordinated program of research, development, advertising, and promotion designed to strengthen the watermelon's competitive position in the marketplace, and establish, maintain, and expand domestic and foreign markets for watermelons. The purpose of this chapter is to so authorize the establishment of such procedure and the development, financing, and carrying out of such program. Nothing in this chapter may be construed to dictate quality standards nor provide for the control of production or otherwise limit the right of individual watermelon producers to produce watermelons.

(Pub. L. 99-198, title XVI, § 1642, Dec. 23, 1985, 99 Stat. 1622; Pub. L. 103-189, § 8(k)(1), (2), Dec. 14, 1993, 107 Stat. 2263.)

#### AMENDMENTS

1993—Subsec. (a)(5). Pub. L. 103-189, § 8(k)(1), substituted “handling, and importing” for “and handling”.

Subsec. (b). Pub. L. 103-189, § 8(k)(2), inserted “, or imported into the United States,” after “harvested in the United States” and struck out “produced in the United States” after “foreign markets for watermelons”.

#### SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103-189, § 1(a), Dec. 14, 1993, 107 Stat. 2259, provided that: “This Act [amending this section and sections 4902 to 4904, 4906, 4908, and 4911 to 4914 of this title] may be cited as the ‘Watermelon Research and Promotion Improvement Act of 1993’.”

#### SHORT TITLE

Pub. L. 99-198, title XVI, § 1641, Dec. 23, 1985, 99 Stat. 1622, provided that: “This subtitle [subtitle C (§§ 1641-1657) of Pub. L. 99-198, enacting this chapter] may be cited as the ‘Watermelon Research and Promotion Act’.”

#### § 4902. Definitions

As used in this chapter:

(1) The term “Secretary” means the Secretary of Agriculture.

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

(3) The term “watermelon” means all varieties of watermelon grown by producers in the United States or imported into the United States.

(4) The term “handler” means any person (except a common or contract carrier of watermelons owned by another person) who handles watermelons in a manner specified in a plan issued under this chapter or in regulations promulgated thereunder.

(5) The term “producer” means any person engaged in the growing of 10 or more acres of watermelons.

(6) The term “importer” means any person who imports watermelons into the United States.

(7) The term “plan” means an order issued by the Secretary under this chapter.

(8) The term “promotion” means any action taken by the Board, under this chapter, to present a favorable image for watermelons to the public with the express intent of improving the competitive position of watermelons in the marketplace and stimulating sales of watermelons, and shall include, but not be limited to, paid advertising.

(9) The term “Board” means the National Watermelon Promotion Board provided for in section 4906 of this title.

(10) The term “United States” means each of the several States and the District of Columbia.

(Pub. L. 99-198, title XVI, § 1643, Dec. 23, 1985, 99 Stat. 1623; Pub. L. 103-189, §§ 3(a), 8(a), (k)(3), 9(a), Dec. 14, 1993, 107 Stat. 2259, 2261, 2263, 2264.)

#### AMENDMENTS

1993—Pub. L. 103-189, § 8(k)(3)(A), substituted “chapter” for “chapter—” in introductory provisions.

Pars. (1), (2). Pub. L. 103-189, § 8(k)(3)(B), (C), substituted “The term” for “the term” and a period for semicolon at end.

Par. (3). Pub. L. 103-189, § 8(a)(1), (k)(3)(B), substituted “The term” for “the term” and “or imported into the United States.” for the semicolon at end.

Pub. L. 103-189, § 3(a)(1), struck out “the forty-eight contiguous States of” after “by producers in”.