

(1) United States producers of agricultural products are some of the most productive and efficient producers of agricultural products in the world;

(2) continued growth and expansion of markets for United States agricultural exports is crucial to the continued development and economic well-being of rural areas of the United States and the agricultural sector of the United States economy;

(3) in recent years, United States agricultural exports have steadily increased, surpassing \$54,000,000,000 in value in 1995;

(4) as United States agricultural producers move toward a market-oriented system in which planting and other decisions by producers are driven by national and international market signals, developing new and expanding agricultural export markets is vital to maintaining a vibrant and healthy agricultural sector and rural economy; and

(5) a United States agricultural export excellence award will increase United States agricultural exports by—

(A) identifying efforts of United States entities to develop and expand markets for United States agricultural exports through the development of new products and services and through the use of innovative marketing techniques;

(B) recognizing achievements of those who have exhibited or supported entrepreneurial efforts to expand and create new markets for United States agricultural exports or increase the volume or value of United States agricultural exports; and

(C) disseminating information on successful methods used to develop and expand markets for United States agricultural exports.

**(b) Establishment**

There is established the Edward R. Madigan United States Agricultural Export Excellence Award, which shall be evidenced by a medal bearing the inscription “Edward R. Madigan United States Agricultural Export Excellence Award”. The medal shall be of such design and materials and bear such additional inscriptions as the Secretary of Agriculture (referred to in this section as the “Secretary”) may prescribe.

**(c) Selection of recipient**

The President or the Secretary (on the basis of recommendations received from the board established under subsection (h) of this section) shall periodically provide the award to companies and other entities that in the judgment of the President or the Secretary substantially encourage entrepreneurial efforts in the food and agriculture sector for advancing United States agricultural exports.

**(d) Presentation of award**

The presentation of the award shall be made by the President or the Secretary with such ceremonies as the President or the Secretary considers proper.

**(e) Publication of award**

An entity to which an award is made under this section may publicize the receipt of the award by the entity and use the award in advertising of the entity.

**(f) Categories for which award may be given**

Separate awards shall be made to qualifying entities in each of the following categories:

(1) Development of new products or services for agricultural export markets.

(2) Development of new agricultural export markets.

(3) Creative marketing of products or services in agricultural export markets.

**(g) Criteria for qualification**

An entity may qualify for an award under this section only if the entity—

(1)(A) applies to the board established under subsection (h) of this section in writing for the award; or

(B) is recommended for the award by a Governor of a State;

(2)(A) has exhibited significant entrepreneurial effort to create new markets for United States agricultural exports or increase United States agricultural exports; or

(B) has provided significant assistance to others in an effort to create new markets for United States agricultural exports or increase United States agricultural exports;

(3) has not received another award in the same category under subsection (f) of this section during the preceding 5-year period; and

(4) meets such other requirements and specifications as the Secretary determines are appropriate to achieve the objectives of this section.

**(h) Board**

**(1) Selection**

The Secretary shall appoint a board of evaluators, consisting of at least 5 individuals from the private sector selected for their knowledge and experience in exporting United States agricultural products.

**(2) Meetings**

The board shall meet at least once annually to review and evaluate all applicants and entities recommended by States under subsection (g)(1) of this section.

**(3) Recommendations of board**

The board shall report its recommendations concerning the making of the award to the Secretary.

**(4) Term**

Each member of the board may serve a term of not to exceed 3 years.

**(i) Funding**

The Secretary may seek and accept gifts from public and private sources to carry out this section.

(Pub. L. 104-127, title II, §261, Apr. 4, 1996, 110 Stat. 972.)

CODIFICATION

Section was enacted as part of the Federal Agriculture Improvement and Reform Act of 1996, and not as part of the Agricultural Trade Act of 1978 which comprises this chapter.

**§ 5679. Biotechnology and agricultural trade program**

**(a) Establishment**

There is established in the Department the biotechnology and agricultural trade program.

**(b) Purpose**

The purpose of the program shall be to remove, resolve, or mitigate significant regulatory nontariff barriers to the export of United States agricultural commodities (as defined in section 5602 of this title) into foreign markets through public and private sector projects funded by grants that address—

(1) quick response intervention regarding nontariff barriers to United States exports involving—

- (A) United States agricultural commodities produced through biotechnology;
- (B) food safety;
- (C) disease; or
- (D) other sanitary or phytosanitary concerns; or

(2) developing protocols as part of bilateral negotiations with other countries on issues such as animal health, grain quality, and genetically modified commodities.

**(c) Eligible programs**

Depending on need, as determined by the Secretary, activities authorized under this section may be carried out through—

- (1) this section;
- (2) the emerging markets program under section 1542;<sup>1</sup> or
- (3) the Cochran Fellowship Program under section 3293 of this title.

**(d) Funding**

There is authorized to be appropriated \$6,000,000 for each of fiscal years 2002 through 2007.

(Pub. L. 101-624, title XV, §1543A, as added Pub. L. 107-171, title III, §3204, May 13, 2002, 116 Stat. 300.)

## REFERENCES IN TEXT

Section 1542, referred to in subsec. (c)(2), is section 1542 of title XV of Pub. L. 101-624, which is set out as a note under section 5622 of this title.

## CODIFICATION

Section was enacted as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the Agricultural Trade Act of 1978 which comprises this chapter.

**§ 5680. Technical assistance for specialty crops****(a) Establishment**

The Secretary of Agriculture shall establish an export assistance program (referred to in this section as the “program”) to address unique barriers that prohibit or threaten the export of United States specialty crops.

**(b) Purpose**

The program shall provide direct assistance through public and private sector projects and technical assistance to remove, resolve, or mitigate sanitary and phytosanitary and related barriers to trade.

**(c) Priority**

The program shall address time sensitive and strategic market access projects based on—

- (1) trade effect on market retention, market access, and market expansion; and
- (2) trade impact.

**(d) Annual report**

Not later than 180 days after June 18, 2008, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report that contains, for the period covered by the report, a description of each factor that affects the export of specialty crops, including each factor relating to any—

- (1) significant sanitary or phytosanitary issue; or
- (2) trade barrier.

**(e) Funding****(1) Commodity Credit Corporation**

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this section.

**(2) Funding amounts**

Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

- (A) \$4,000,000 for fiscal year 2008;
- (B) \$7,000,000 for fiscal year 2009;
- (C) \$8,000,000 for fiscal year 2010;
- (D) \$9,000,000 for fiscal year 2011; and
- (E) \$9,000,000 for fiscal year 2012.

(Pub. L. 107-171, title III, §3205, May 13, 2002, 116 Stat. 301; Pub. L. 110-246, title III, §3203, June 18, 2008, 122 Stat. 1837.)

## CODIFICATION

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of the Agricultural Trade Act of 1978 which comprises this chapter.

## AMENDMENTS

2008—Subsecs. (d), (e). Pub. L. 110-246 added subsecs. (d) and (e) and struck out former subsec. (d). Prior to amendment, text read as follows: “For each of fiscal years 2002 through 2007, the Secretary shall make available \$2,000,000 of the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation.”

## EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

## SUBCHAPTER V—FOREIGN AGRICULTURAL SERVICE

**§ 5691. Repealed. Pub. L. 103-354, title II, § 225(e)(1), Oct. 13, 1994, 108 Stat. 3214**

Section, Pub. L. 95-501, title V, § 501, as added Pub. L. 101-624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3686, established position of Under Secretary of Agriculture for International Affairs and Commodity Programs.

A prior section 501 of Pub. L. 95-501 enacted section 2211a of this title, amended section 5314 of Title 5, Government Organization and Employees, and enacted provisions set out as a note under section 2211a of this title, prior to the complete revision of Pub. L. 95-501 by Pub. L. 101-624.

<sup>1</sup> See References in Text note below.