

the Secretary for the purpose of conducting or facilitating activities which will initiate, encourage, develop, or coordinate methods of direct marketing from farmers to consumers within or among the States. Such funds shall be allocated to a State on the basis of the feasibility of direct marketing from farmers to consumers within that State as compared to other States and shall be allocated within a State to the State department of agriculture and to the Secretary on the basis of the types of activities which are needed in the State, as determined by the Secretary. The activities shall include, but shall not be limited to—

- (1) sponsoring conferences which are designed to facilitate the sharing of information (among farm producers, consumers, and other interested persons or groups) concerning the establishment and operation of direct marketing from farmers to consumers;
- (2) compiling laws and regulations relevant to the conduct of the various methods of such direct marketing within the State, formulating drafts of enabling legislation needed to facilitate such direct marketing, determining feasible locations for additional facilities for such direct marketing, and preparing and disseminating practical information on the establishment and operation of such direct marketing; and
- (3) providing technical assistance for the purpose of aiding interested individuals or groups in the establishment of arrangements for direct marketing from farmers to consumers.

(b) Development of farmers' markets

The Secretary shall—

- (1) work with the Governor of a State, and a State agency designated by the Governor, to develop programs to train managers of farmers' markets;
- (2) develop opportunities to share information among managers of farmers' markets;
- (3) establish a program to train cooperative extension service employees in the development of direct marketing techniques; and
- (4) work with producers to develop farmers' markets.

(c) Consideration of consumer preferences

In the implementation of this section, the Secretary shall take into account consumer preferences and needs which may bear upon the establishment and operation of arrangements for direct marketing from farmers to consumers.

(Pub. L. 94-463, § 5, Oct. 8, 1976, 90 Stat. 1982; Pub. L. 107-171, title X, § 10605(b)(2), May 13, 2002, 116 Stat. 513.)

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-171, § 10605(b)(2)(A), substituted “Secretary for the purpose” for “Extension Service of the United States Department of Agriculture for the purpose”, “Secretary on the basis” for “Extension Service on the basis”, and “, as determined by the Secretary” for “and on the basis of which of these two agencies, or combination thereof, can best perform these activities”.

Subsecs. (b), (c). Pub. L. 107-171, § 10605(b)(2)(B), (C), added subsec. (b) and redesignated former subsec. (b) as (c).

§ 3005. Farmers' Market and Local Food Promotion Program

(a) Establishment

The Secretary shall carry out a program, to be known as the “Farmers' Market and Local Food Promotion Program” (referred to in this section as the “Program”), to make grants to eligible entities for projects to establish, expand, and promote direct producer-to-consumer marketing and assist in the development of local food business enterprises.

(b) Program purposes

The purposes of the Program are to increase domestic consumption of and access to locally and regionally produced agricultural products, and to develop new market opportunities for farm and ranch operations serving local markets, by developing, improving, expanding, and providing outreach, training, and technical assistance to, or assisting in the development, improvement and expansion of—

- (1) domestic farmers' markets, roadside stands, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities; and
- (2) local and regional food business enterprises (including those that are not direct producer-to-consumer markets) that process, distribute, aggregate, or store locally or regionally produced food products.

(c) Eligible entities

An entity shall be eligible to receive a grant under the Program if the entity is—

- (1) an agricultural cooperative or other agricultural business entity or a producer network or association, including a community supported agriculture network or association;
- (2) a local government;
- (3) a nonprofit corporation;
- (4) a public benefit corporation;
- (5) an economic development corporation;
- (6) a regional farmers' market authority; or
- (7) such other entity as the Secretary may designate.

(d) Criteria and guidelines

The Secretary shall establish criteria and guidelines for the submission, evaluation, and funding of proposed projects under the Program.

(e) Priorities

In providing grants under the Program, priority shall be given to applications that include projects that benefit underserved communities, including communities that—

- (1) are located in areas of concentrated poverty with limited access to fresh locally or regionally grown foods; and
- (2) have not received benefits from the Program in the recent past.

(f) Funds requirements for eligible entities

(1) Matching funds

An entity receiving a grant under this section for a project to carry out a purpose described in subsection (b)(2) shall provide matching funds in the form of cash or an in-kind contribution in an amount equal to 25 percent of the total cost of the project.

(2) Limitation on use of funds

An eligible entity may not use a grant or other assistance provided under this section for the purchase, construction, or rehabilitation of a building or structure.

(g) Funding**(1) Mandatory funding**

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

- (A) \$3,000,000 for fiscal year 2008;
- (B) \$5,000,000 for each of fiscal years 2009 through 2010;
- (C) \$10,000,000 for each of fiscal years 2011 and 2012; and
- (D) \$30,000,000 for each of fiscal years 2014 through 2018.

(2) Fiscal year 2013

There is authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 2013.

(3) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.

(4) Use of funds

Of the funds made available to carry out this section for a fiscal year—

- (A) 50 percent of the funds shall be used for the purposes described in subsection (b)(1); and
- (B) 50 percent of the funds shall be used for the purposes described in subsection (b)(2).

(5) Limitation on administrative expenses

Not more than 4 percent of the total amount made available to carry out this section for a fiscal year may be used for administrative expenses.

(6) Interdepartmental coordination

In carrying out this subsection, the Secretary shall ensure coordination between the various agencies to the maximum extent practicable.

(Pub. L. 94-463, § 6, as added Pub. L. 107-171, title X, § 10605(a), May 13, 2002, 116 Stat. 513; amended Pub. L. 110-234, title X, § 10106, May 22, 2008, 122 Stat. 1337; Pub. L. 110-246, § 4(a), title X, § 10106, June 18, 2008, 122 Stat. 1664, 2098; Pub. L. 112-240, title VII, § 701(g)(1), Jan. 2, 2013, 126 Stat. 2366; Pub. L. 113-79, title X, § 10003, Feb. 7, 2014, 128 Stat. 940.)

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.

PRIOR PROVISIONS

A prior section 3005, Pub. L. 94-463, § 6, Oct. 8, 1976, 90 Stat. 1983; Pub. L. 103-437, § 4(a)(8), Nov. 2, 1994, 108 Stat. 4582, related to review of activities by Secretary and annual report to Congress, prior to repeal by Pub. L. 105-362, title I, § 101(d)(1), Nov. 10, 1998, 112 Stat. 3281.

AMENDMENTS

2014—Pub. L. 113-79, § 10003(1), inserted “and Local Food” after “Farmers’ Market” in section catchline.

Subsec. (a). Pub. L. 113-79, § 10003(2), inserted “and Local Food” after “Farmers’ Market”, struck out “farmers’ markets and to promote” after “and promote”, and substituted “and assist in the development of local food business enterprises.” for period at end.

Subsec. (b). Pub. L. 113-79, § 10003(3), added subsec. (b) and struck out former subsec. (b) which related to purposes of the Program and limitations on use of grants or other assistance provided under the Program.

Subsec. (c)(1). Pub. L. 113-79, § 10003(4), inserted “or other agricultural business entity” after “cooperative” and “, including a community supported agriculture network or association” after “association”.

Subsecs. (e), (f). Pub. L. 113-79, § 10003(6), added subsecs. (e) and (f). Former subsec. (e) redesignated (g).

Subsec. (g). Pub. L. 113-79, § 10003(5), redesignated subsec. (e) as (g).

Subsec. (g)(1). Pub. L. 113-79, § 10003(7)(A)(i), substituted “Mandatory funding” for “Fiscal years 2008 through 2012” in heading.

Subsec. (g)(1)(D). Pub. L. 113-79, § 10003(7)(A)(ii)-(iv), added subpar. (D).

Subsec. (g)(3) to (6). Pub. L. 113-79, § 10003(7)(B)-(D), added pars. (3) to (5), redesignated former par. (4) as (6), and struck out former pars. (3) and (5) which related to use of funds to support the use of electronic benefits transfers for Federal nutrition programs at farmers’ markets and limitation on such use of funds, respectively.

2013—Subsec. (e)(1). Pub. L. 112-240, § 701(g)(1)(A), substituted “Fiscal years 2008 through 2012” for “In general” in heading.

Subsec. (e)(2) to (5). Pub. L. 112-240, § 701(g)(1)(B)-(E), added par. (2), redesignated former pars. (2) to (4) as (3) to (5), respectively, and substituted “paragraph (1) or (2)” for “paragraph (1)” in par. (3) and “paragraph (3)” for “paragraph (2)” in introductory provisions of par. (5).

2008—Subsec. (a). Pub. L. 110-246, § 10106(1), inserted “and to promote direct producer-to-consumer marketing” before period at end.

Subsec. (b)(1)(A). Pub. L. 110-246, § 10106(2)(A), inserted “agri-tourism activities,” after “programs,”.

Subsec. (b)(1)(B). Pub. L. 110-246, § 10106(2)(B), inserted “agri-tourism activities,” after “programs,” and substituted “marketing opportunities” for “infrastructure”.

Subsec. (c)(1). Pub. L. 110-246, § 10106(3), inserted “or a producer network or association” after “cooperative”.

Subsec. (e). Pub. L. 110-246, § 10106(4), added subsec. (e) and struck out former subsec. (e). Prior to amendment, text read as follows: “There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2002 through 2007.”

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112-240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112-240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

§ 3006. Authorization of appropriations

(a) For purposes of carrying out section 3003 of this title, there are authorized to be appropriated such sums as are necessary.

(b) For purposes of carrying out the provisions of section 3004 of this title, there is authorized to be appropriated \$1,500,000 for each of the fiscal years ending September 30, 1977, and September 30, 1978.

(Pub. L. 94-463, § 7, Oct. 8, 1976, 90 Stat. 1983; Pub. L. 105-362, title I, § 101(d)(2), Nov. 10, 1998, 112 Stat. 3281.)