

- (i) the Secretary considers the information relevant;
- (ii) the information is revealed in a suit or administrative hearing brought at the request of the Secretary, or to which the Secretary or any officer of the United States is a party; and
- (iii) the information relates to the order.

**(C) Disclosure to other agency of Federal Government**

**(i) In general**

No information obtained under the authority of this subchapter may be made available to another agency or officer of the Federal Government for any purpose other than the implementation of this subchapter and any investigatory or enforcement activity necessary for the implementation of this subchapter.

**(ii) Penalty**

A person who knowingly violates this subparagraph shall, on conviction, be subject to a fine of not more than \$1,000 or to imprisonment for not more than 1 year, or both, and if an officer, employee, or agent of the Board or the Department, shall be removed from office or terminated from employment, as applicable.

**(D) General statements**

Nothing in this paragraph prohibits—

- (i) the issuance of general statements based on the reports of a number of persons subject to an order or statistical data collected from the reports, if the statements do not identify the information provided by any person; or
- (ii) the publication, by direction of the Secretary, of the name of a person violating the order, together with a statement of the particular provisions of the order violated by the person.

**(j) Other terms and conditions**

The order shall contain such other terms and conditions, consistent with this subchapter, as are necessary to effectuate this subchapter, including regulations relating to the assessment of late payment charges.

(Pub. L. 104-127, title V, §575, Apr. 4, 1996, 110 Stat. 1077.)

**§ 7485. Referenda**

**(a) Initial referendum**

**(1) In general**

Within the 60-day period immediately preceding the effective date of an order, as provided in section 7483(b)(3) of this title, the Secretary shall conduct a referendum among processors who, during a representative period as determined by the Secretary, have been engaged in processing, for the purpose of ascertaining whether the order shall go into effect.

**(2) Approval of order**

The order shall become effective, as provided in section 7483(b) of this title, only if the Secretary determines that the order has been approved by not less than a majority of the proc-

essors voting in the referendum and if the majority processed more than 50 percent of the popcorn certified as having been processed, during the representative period, by the processors voting.

**(b) Additional referenda**

**(1) In general**

Not earlier than 3 years after the effective date of an order approved under subsection (a), on the request of the Board or a representative group of processors, as described in paragraph (2), the Secretary may conduct additional referenda to determine whether processors favor the suspension or termination of the order.

**(2) Representative group of processors**

An additional referendum on an order shall be conducted if the referendum is requested by 30 percent or more of the number of processors who, during a representative period as determined by the Secretary, have been engaged in processing.

**(3) Disapproval of order**

If the Secretary determines, in a referendum conducted under paragraph (1), that suspension or termination of the order is favored by at least  $\frac{2}{3}$  of the processors voting in the referendum, the Secretary shall—

(A) suspend or terminate, as appropriate, collection of assessments under the order not later than 180 days after the date of determination; and

(B) suspend or terminate the order, as appropriate, in an orderly manner as soon as practicable after the date of determination.

**(c) Costs of referendum**

The Secretary shall be reimbursed from assessments collected by the Board for any expenses incurred by the Secretary in connection with the conduct of any referendum under this section.

**(d) Method of conducting referendum**

Subject to this section, a referendum conducted under this section shall be conducted in such manner as is determined by the Secretary.

**(e) Confidentiality of ballots and other information**

**(1) In general**

The ballots and other information or reports that reveal or tend to reveal the vote of any processor, or any business operation of a processor, shall be considered to be strictly confidential and shall not be disclosed.

**(2) Penalty for violations**

An officer or employee of the Department who knowingly violates paragraph (1) shall be subject to the penalties described in section 7484(i)(3)(C)(ii) of this title.

(Pub. L. 104-127, title V, §576, Apr. 4, 1996, 110 Stat. 1081.)

**§ 7486. Petition and review**

**(a) Petition**

**(1) In general**

A person subject to an order may file with the Secretary a petition—