

those persons voting in a referendum under subsection (b); and

(2) the producers, producer-handlers, and importers comprising this majority produce and import more than 50 percent of the volume of limes produced and imported by those voting in the referendum.

(Pub. L. 101-624, title XIX, §1961, Nov. 28, 1990, 104 Stat. 3880.)

#### § 6211. Authorization of appropriations

##### (a) In general

There are authorized to be appropriated for each fiscal year such funds as are necessary to carry out this chapter.

##### (b) Administrative expenses

The funds so appropriated shall not be available for payment of the expenses or expenditures of the Board in administering any provisions of an order issued under this chapter.

(Pub. L. 101-624, title XIX, §1962, Nov. 28, 1990, 104 Stat. 3880.)

#### § 6212. Regulations

The Secretary may issue such regulations as are necessary to carry out this chapter.

(Pub. L. 101-624, title XIX, §1963, Nov. 28, 1990, 104 Stat. 3881.)

### CHAPTER 92—SOYBEAN PROMOTION, RESEARCH, AND CONSUMER INFORMATION

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#### § 6301. Findings and declaration of policy

##### (a) Findings

Congress finds that—

(1) soybeans are an important source of nutritious foods that are a valuable part of the human diet and are an important feedstuff for the livestock industry;

(2) the production of soybeans plays a significant role in the economy of the United States in that soybeans are produced by thousands of soybean producers, processed by numerous processing entities, and soybeans and soybean products produced in the United States are consumed by people and livestock throughout the United States and foreign countries;

(3) soybeans and soybean products should be readily available and marketed efficiently to ensure that consumers have an adequate supply of soybean products at a reasonable price;

(4) the maintenance and expansion of existing markets and development of new markets for soybeans and soybean products are vital to the welfare of soybean producers and pro-

cessors and those concerned with marketing soybeans and soybean products, as well as to the general economy of the United States, and are necessary to ensure the ready availability and efficient marketing of soybeans and soybean products;

(5) there exist established State and national organizations conducting soybean promotion, research, and consumer education programs that are valuable to the efforts of promoting the consumption of soybeans and soybean products;

(6) the cooperative development, financing, and implementation of a coordinated national program of soybean promotion, research, consumer information, and industry information are necessary to maintain and expand existing markets and develop new markets for soybeans and soybean products; and

(7) soybeans and soybean products move in interstate and foreign commerce, and soybeans and soybean products that do not move in such channels of commerce directly burden or affect interstate commerce in soybeans and soybean products.

##### (b) Policy

Congress declares that it is in the public interest to authorize the establishment, through the exercise of the powers provided in this chapter, of an orderly procedure for developing, financing through assessments on domestically-produced soybeans, and implementing a program of promotion, research, consumer information, and industry information designed to strengthen the soybean industry's position in the marketplace, to maintain and expand existing domestic and foreign markets and uses for soybeans and soybean products, and to develop new markets and uses for soybeans and soybean products.

##### (c) Construction

Nothing in this chapter may be construed to provide for the control of production or otherwise limit the right of individual producers to produce soybeans.

(Pub. L. 101-624, title XIX, §1966, Nov. 28, 1990, 104 Stat. 3881.)

#### SHORT TITLE

Pub. L. 101-624, title XIX, §1965, Nov. 28, 1990, 104 Stat. 3881, provided that: "This subtitle [subtitle E (§§1965-1976) of title XIX of Pub. L. 101-624, enacting this chapter] may be cited as the 'Soybean Promotion, Research, and Consumer Information Act'."

#### § 6302. Definitions

As used in this chapter:

##### (1) Board

The term "Board" means the United Soybean Board established under section 6304(b) of this title.

##### (2) Commerce

The term "commerce" includes interstate, foreign, and intrastate commerce.

##### (3) Committee

The term "Committee" means the Soybean Program Coordinating Committee established under section 6304(g) of this title.

**(4) Consumer information**

The term “consumer information” means information that will assist consumers and other persons in making evaluations and decisions regarding the purchase, preparation, and use of soybeans or soybean products.

**(5) Department**

The term “Department” means the Department of Agriculture.

**(6) First purchaser**

The term “first purchaser” means—

(A) except as provided in subparagraph (B), any person buying or otherwise acquiring from a producer soybeans produced by such producer; or

(B) the Commodity Credit Corporation, in any case in which soybeans are pledged as collateral for a loan issued under any price support loan program administered by the Commodity Credit Corporation.

**(7) Industry information**

The term “industry information” means information and programs that will lead to the development of new markets, new marketing strategies, or increased efficiency for the soybean industry, and activities to enhance the image of the soybean industry.

**(8) Marketing**

The term “marketing” means the sale or other disposition of soybeans or soybean products in any channel of commerce.

**(9) Net market price**

The term “net market price” means—

(A) except as provided in subparagraph (B), the sales price or other value received by a producer for soybeans after adjustments for any premium or discount based on grading or quality factors, as determined by the Secretary; or

(B) for soybeans pledged as collateral for a loan issued under any price support loan program administered by the Commodity Credit Corporation, the principal amount of the loan.

**(10) Order**

The term “order” means an order issued under section 6303 of this title.

**(11) Person**

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

**(12) Producer**

The term “producer” means any person engaged in the growing of soybeans in the United States who owns, or who shares the ownership and risk of loss of, such soybeans.

**(13) Promotion**

The term “promotion” means any action, including paid advertising, technical assistance, and trade servicing activities, to enhance the image or desirability of soybeans or soybean products in domestic and foreign markets, and any activity designed to communicate to consumers, importers, processors, wholesalers, re-

tailers, government officials, or others information relating to the positive attributes of soybeans or soybean products or the benefits of importation, use, or distribution of soybeans and soybean products.

**(14) Qualified State soybean board**

The term “qualified State soybean board” means a State soybean promotion entity that is authorized by State law. If no such entity exists in a State, the term “qualified State soybean board” means a soybean producer-governed entity—

(A) that is organized and operating within a State;

(B) that receives voluntary contributions and conducts soybean promotion, research, consumer information, or industry information programs; and

(C) that meets criteria established by the Board as approved by the Secretary relating to the qualifications of such entity to perform duties under the order and is recognized by the Board as the soybean promotion and research entity within the State.

**(15) Research**

The term “research” means any type of study to advance the image, desirability, marketability, production, product development, quality, or functional or nutritional value of soybeans or soybean products, including any research activity designed to identify and analyze barriers to export sales of soybeans and soybean products.

**(16) Secretary**

The term “Secretary” means the Secretary of Agriculture.

**(17) Soybean products**

The term “soybean products” means products produced in whole or in part from soybeans or soybean by-products.

**(18) Soybeans**

The term “soybeans” means all varieties of Glycine max or Glycine soya.

**(19) State**

The terms “State” and “United States” consist of the 50 States of the United States of America, the District of Columbia, and the Commonwealth of Puerto Rico.

(Pub. L. 101-624, title XIX, §1967, Nov. 28, 1990, 104 Stat. 3882.)

**§ 6303. Issuance and amendment of orders****(a) In general**

To effectuate the declared policy of section 6301(b) of this title, the Secretary, subject to the procedures provided in subsection (b), shall issue orders under this chapter applicable to producers and first purchasers of soybeans. Any such order shall be national in scope, and not more than one order shall be in effect under this chapter at any one time.

**(b) Procedure****(1) Proposal or request for issuance**

The Secretary may propose the issuance of an order under this chapter, or an association