

to enhance the image of sheep or sheep products on a national or international basis.

**(15) Order**

The term “order” means a sheep and wool promotion, research, education, and information order issued under section 7103 of this title.

**(16) Person**

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

**(17) Processor**

The term “processor” means any person who slaughters sheep or processes greasy wool into degreased wool.

**(18) Producer**

The term “producer” means any person, other than a feeder, who owns or acquires ownership of sheep.

**(19) Producer information**

The term “producer information” means activities designed to provide producers, feeders, and importers with information relating to production or marketing efficiencies or developments, program activities, or other information that would facilitate an increase in the consumption of sheep or sheep products.

**(20) Promotion**

The term “promotion” means any action (including paid advertising) to advance the image and desirability of sheep or sheep products to improve the competitive position, and stimulate sales, of sheep products in the domestic and international marketplace.

**(21) Pulled wool**

The term “pulled wool” means wool that is pulled from the skin of a slaughtered sheep.

**(22) Qualified State sheep board**

The term “qualified State sheep board” means a sheep and wool promotion entity that—

(A) is authorized by State statute or is otherwise organized and operating within a State;

(B) receives voluntary contributions or dues and conducts promotion, research, or consumer information programs with respect to sheep or wool, or both; and

(C) is recognized by the Board as the sheep and wool promotion entity within the State;

except that not more than 1 qualified State sheep board shall exist in any State at any 1 time.

**(23) Raw wool**

The term “raw wool” means greasy wool, pulled wool, degreased wool, or carbonized wool.

**(24) Research**

The term “research” means development projects and studies relating to the production (including the feeding of sheep), processing, distribution, or use of sheep or sheep products to encourage, expand, improve, or make more

efficient the marketing of sheep or sheep products.

**(25) Secretary**

The term “Secretary” means the Secretary of Agriculture.

**(26) Sheep**

The term “sheep” means ovine animals of any age, including lambs.

**(27) Sheep products**

The term “sheep products” means products produced, in whole or in part, from sheep, including wool and products containing wool fiber.

**(28) State**

The term “State” means each of the 50 States.

**(29) Unit**

The term “unit” means each State, group of States, or class designation that is represented on the Board.

**(30) United States**

The term “United States” means the 50 States and the District of Columbia.

**(31) Wool**

The term “wool” means the fiber from the fleece of a sheep.

**(32) Wool products**

The term “wool products” means products produced, in whole or in part, from wool and products containing wool fiber.

(Pub. L. 103-407, § 3, Oct. 22, 1994, 108 Stat. 4211.)

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 of Title 6.

**§ 7103. Issuance and amendment of orders**

**(a) In general**

Subject to subsection (b), the Secretary shall issue orders under this chapter applicable to producers, feeders, importers, handlers, and purchasers of sheep and sheep products. Any order shall be national in scope. Not more than 1 order shall be in effect under this chapter at any 1 time.

**(b) Procedure**

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

The Secretary may propose the issuance of an order under this chapter, or an association of producers may request the issuance of, and submit a proposal for, an order.

**(2) Notice and comment concerning proposed order**

Not later than 60 days after the receipt of a request and proposal for an order under para-

graph (1), the Secretary shall publish a proposed order and give due notice and opportunity for public comment on the proposed order.

**(3) Issuance of orders**

After notice and opportunity for public comment are given as provided in paragraph (2), the Secretary shall issue an order, taking into consideration the comments received, that includes provisions necessary to ensure that the order is in conformity with this chapter. The order shall be issued not later than 180 days following publication of the proposed order.

**(4) Referendum**

The order shall go into effect only if the order is approved by producers, feeders, and importers in a referendum conducted under section 7105 of this title.

**(c) Amendments**

The Secretary, from time to time, may amend any order issued under this chapter.

(Pub. L. 103-407, §4, Oct. 22, 1994, 108 Stat. 4213.)

**§ 7104. Required terms in orders**

**(a) In general**

An order issued under this chapter shall contain the terms and conditions specified in this section.

**(b) Establishment and membership of Board**

**(1) In general**

The order shall provide for the establishment of, and appointment of members to, a National Sheep Promotion, Research, and Information Board to administer the order. Members of the Board shall be appointed by the Secretary from nominations provided in accordance with this subsection. The cumulative number of seats on the Board shall be 120 and shall be apportioned as follows:

**(A) Producers**

Producers shall be appointed to the Board to represent States, with each State represented by the following number of members:

Alabama .....	1
Alaska .....	1
Arizona .....	1
Arkansas .....	1
California .....	5
Colorado .....	4
Connecticut .....	1
Delaware .....	1
Florida .....	1
Georgia .....	1
Hawaii .....	1
Idaho .....	2
Illinois .....	1
Indiana .....	1
Iowa .....	2
Kansas .....	1
Kentucky .....	1
Louisiana .....	1
Maine .....	1
Maryland .....	1
Massachusetts .....	1
Michigan .....	1
Minnesota .....	2
Mississippi .....	1

Missouri .....	1
Montana .....	5
Nebraska .....	1
Nevada .....	1
New Hampshire .....	1
New Jersey .....	1
New Mexico .....	2
New York .....	1
North Carolina .....	1
North Dakota .....	2
Ohio .....	1
Oklahoma .....	1
Oregon .....	2
Pennsylvania .....	1
Rhode Island .....	1
South Carolina .....	1
South Dakota .....	4
Tennessee .....	1
Texas .....	10
Utah .....	3
Vermont .....	1
Virginia .....	1
Washington .....	1
West Virginia .....	1
Wisconsin .....	1
Wyoming .....	5

**(B) Feeders**

The feeder sheep industry shall be represented on the Board by 10 members.

**(C) Importers**

Importers shall be represented on the Board by 25 members.

**(D) Alternates**

The order shall provide that a unit represented by only 1 member may have an alternate member appointed to ensure representation at meetings of the Board.

**(2) Nominations**

**(A) Producers**

The Secretary shall appoint producers to represent units established under paragraph (1)(A) from nominations submitted by eligible organizations certified under subsection (c)(3). An eligible organization may submit only nominations from the membership of the organization for the unit in which the organization is located. To be represented on the Board, each eligible organization shall submit to the Secretary at least 1.5 nominations for each appointment to the Board for which the unit is entitled to representation, as determined under paragraph (1)(A). If a unit is entitled to 1 appointment on the Board, the unit shall submit at least 2 nominations for the appointment.

**(B) Feeders**

The Secretary shall appoint representatives of the feeder sheep industry to seats established under paragraph (1)(B) from nominations submitted by qualified national organizations that represent the feeder sheep industry. To be represented on the Board, the industry shall provide at least 1.5 nominations for each appointment to the Board for which the feeder sheep industry is entitled to representation, as determined under paragraph (1)(B).

**(C) Importers**

The Secretary shall appoint importers to seats established under paragraph (1)(C)