

penses or expenditures of the Board in administering any provision of any plan issued under this chapter.

(Pub. L. 101-624, title XIX, §1918, Nov. 28, 1990, 104 Stat. 3854.)

#### **CHAPTER 90—MUSHROOM PROMOTION, RESEARCH, AND CONSUMER INFORMATION**

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#### **§ 6101. Findings and declaration of policy**

##### **(a) Findings**

Congress finds that—

(1) mushrooms are an important food that is a valuable part of the human diet;

(2) the production of mushrooms plays a significant role in the Nation's economy in that mushrooms are produced by hundreds of mushroom producers, distributed through thousands of wholesale and retail outlets, and consumed by millions of people throughout the United States and foreign countries;

(3) mushroom production benefits the environment by efficiently using agricultural by-products;

(4) mushrooms must be high quality, readily available, handled properly, and marketed efficiently to ensure that the benefits of this important product are available to the people of the United States;

(5) the maintenance and expansion of existing markets and uses, and the development of new markets and uses, for mushrooms are vital to the welfare of producers and those concerned with marketing and using mushrooms, as well as to the agricultural economy of the Nation;

(6) the cooperative development, financing, and implementation of a coordinated program of mushroom promotion, research, and consumer information are necessary to maintain and expand existing markets for mushrooms; and

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

##### **(b) Policy**

It is declared to be the policy of Congress 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 adequate assessments on mushrooms produced domestically or imported into the United States, and carrying out, an effective, continuous, and coordinated program of promotion, research, and consumer and industry information designed to—

(1) strengthen the mushroom industry's position in the marketplace;

(2) maintain and expand existing markets and uses for mushrooms; and

(3) develop new markets and uses for mushrooms.

##### **(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 mushrooms.

(Pub. L. 101-624, title XIX, §1922, Nov. 28, 1990, 104 Stat. 3855.)

#### **CONSTITUTIONALITY**

For information regarding constitutionality of subtitle B of title XIX of Pub. L. 101-624, which enacted this chapter, see Congressional Research Service, *The Constitution of the United States of America: Analysis and Interpretation*, Appendix 1, Acts of Congress Held Unconstitutional in Whole or in Part by the Supreme Court of the United States.

#### **SHORT TITLE**

Pub. L. 101-624, title XIX, §1921, Nov. 28, 1990, 104 Stat. 3854, provided that: "This subtitle [subtitle B (§§1921-1933) of title XIX of Pub. L. 101-624, enacting this chapter] may be cited as the 'Mushroom Promotion, Research, and Consumer Information Act of 1990'."

#### **§ 6102. Definitions**

As used in this chapter—

##### **(1) Commerce**

The term "commerce" means interstate, foreign, or intrastate commerce.

##### **(2) Consumer information**

The term "consumer information" means information and programs that will assist consumers and other persons in making evaluations and decisions regarding the purchase, preparation, and use of mushrooms.

##### **(3) Council**

The term "Council" means the Mushroom Council established under section 6104(b) of this title.

##### **(4) Department**

The term "Department" means the Department of Agriculture.

##### **(5) First handler**

The term "first handler" means any person, as described in an order issued under this chapter, who receives or otherwise acquires mushrooms from a producer and prepares for marketing or markets such mushrooms, or who prepares for marketing or markets mushrooms of that person's own production.

##### **(6) Importer**

The term "importer" means any person who imports, on average, over 500,000 pounds of mushrooms annually from outside the United States.

##### **(7) Industry information**

The term "industry information" means information and programs that are designed to lead to the development of new markets and