

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, retailers, 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 of soybean producers or any other person that would be affected by an order issued pursuant to this chapter may request the issuance of, and submit a proposal for, such an order.

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

Not later than 30 days after the receipt of a request and proposal for an order pursuant to paragraph (1), or whenever the Secretary determines to propose an order, the Secretary shall publish a proposed order and give due notice and opportunity for public comment on the proposed order.

**(3) Issuance of order**

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 and including in the order provisions necessary to ensure that the order is in conformity with the requirements under this chapter. Such order shall be issued and become effective not later than 180 days following publication of the proposed order.

**(c) Amendments**

The Secretary, from time to time, may amend any order issued under this section. The provisions of this chapter applicable to orders shall be applicable to amendments to orders.

(Pub. L. 101-624, title XIX, §1968, Nov. 28, 1990, 104 Stat. 3883.)

**§ 6304. Required terms in orders**

**(a) In general**

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

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

**(1) In general**

The order shall provide for the establishment of, and appointment of members to, a United Soybean Board to administer the order. Members of the Board shall be soybean producers appointed by the Secretary, on a geographic basis, from State or combined units, as provided in this subsection. The cumulative number of seats on the Board shall be the total number of seats to which all the units are entitled.

**(2) Seats**

The Secretary shall establish State units and combined units and seats on the Board for such units, as follows:

**(A) State units**

Except as provided in subparagraph (B), each State shall be considered as a unit.

**(B) Combined units**

A State in which average annual soybean production is less than 3,000,000 bushels shall