

(F) describing staffing needs and additional resources at U.S. Customs and Border Protection and the Department of Agriculture needed to ensure compliance.

**(2) Report on enforcement actions taken on organic imports**

A report—

(A) providing detailed quantitative data (broken down by agricultural product, quantity, value, month, and origin) on imports of agricultural products represented as organically produced found to be fraudulent or lacking any documentation required under this chapter at the port of entry during the report year;

(B) providing data on domestic enforcement actions taken on imported agricultural products represented as organically produced, including the number and type of actions taken by United States officials at ports of entry in response to violations of this chapter;

(C) providing data on fumigation of agricultural products represented as organically produced at ports of entry and notifications of fumigation actions to shipment owners, broken down by product variety and country of origin; and

(D) providing information on enforcement activities under this chapter involving overseas investigations and compliance actions taken within that year, including—

(i) the number of investigations by country; and

(ii) a descriptive summary of compliance actions taken by certifying agents in each country.

(Pub. L. 101–624, title XXI, § 2122A, as added Pub. L. 115–334, title X, § 10104(i), Dec. 20, 2018, 132 Stat. 4902.)

TRADE SAVINGS PROVISION

Pub. L. 115–334, title X, § 10104(k), Dec. 20, 2018, 132 Stat. 4905, provided that: “The amendments made by subsection (i) [enacting this section] shall be carried out in a manner consistent with United States obligations under international agreements.”

**§ 6522. Funding**

**(a) In general**

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

**(b) National organic program**

Notwithstanding any other provision of law, in order to carry out activities under the national organic program established under this chapter, there are authorized to be appropriated—

- (1) \$15,000,000 for fiscal year 2018;
- (2) \$16,500,000 for fiscal year 2019;
- (3) \$18,000,000 for fiscal year 2020;
- (4) \$20,000,000 for fiscal year 2021;
- (5) \$22,000,000 for fiscal year 2022; and
- (6) \$24,000,000 for fiscal year 2023.

**(c) Modernization and improvement of international trade technology systems and data collection**

**(1) In general**

The Secretary shall establish a new system or modify an existing data collection and or-

ganization system to collect and organize in a single system quantitative data on imports of each organically produced agricultural product accepted into the United States.

**(2) Activities**

In carrying out paragraph (1), the Secretary shall modernize trade and transaction certificates to ensure full traceability to the port of entry without unduly hindering trade or commerce, such as through an electronic trade document exchange system.

**(3) Access**

The single system established under paragraph (1) shall be accessible by any agency with the direct authority to engage in—

(A) inspection of imports of agricultural products;

(B) trade data collection and organization; or

(C) enforcement of trade requirements for organically produced agricultural products.

**(4) Funding**

Of the funds of the Commodity Credit Corporation, the Secretary shall make available \$5,000,000 for fiscal year 2019 for the purposes of—

(A) carrying out this subsection; and

(B) maintaining the database and technology upgrades previously carried out under this subsection, as in effect on the day before December 20, 2018.

**(5) Availability**

The amounts made available under paragraph (4) are in addition to any other funds made available for the purposes described in that paragraph and shall remain available until expended.

(Pub. L. 101–624, title XXI, § 2123, Nov. 28, 1990, 104 Stat. 3951; Pub. L. 110–234, title X, § 10303, May 22, 2008, 122 Stat. 1347; Pub. L. 110–246, § 4(a), title X, § 10303, June 18, 2008, 122 Stat. 1664, 2109; Pub. L. 113–79, title X, § 10004(b), Feb. 7, 2014, 128 Stat. 942; Pub. L. 115–334, title X, § 10104(j), Dec. 20, 2018, 132 Stat. 4904.)

CODIFICATION

Pub. L. 110–234 and Pub. L. 110–246 made identical amendments to this section. The amendments by Pub. L. 110–234 were repealed by section 4(a) of Pub. L. 110–246.

AMENDMENTS

2018—Pub. L. 115–334, § 10104(j)(1), substituted “Funding” for “Authorization of appropriations” in section catchline.

Subsec. (b). Pub. L. 115–334, § 10104(j)(2), added pars. (1) to (6) and struck out former pars. (1) to (7) which related to amounts authorized to be appropriated for fiscal years 2008 to 2018 and additional sums necessary for fiscal year 2009 and each fiscal year thereafter.

Subsec. (c). Pub. L. 115–334, § 10104(j)(3), added subsec. (c) and struck out former subsec. (c) which related to modernization and technology upgrade for national organic program.

2014—Subsec. (b)(6), (7). Pub. L. 113–79, § 10004(b)(1), added par. (6) and redesignated former par. (6) as (7).

Subsec. (c). Pub. L. 113–79, § 10004(b)(2), added subsec. (c).

2008—Pub. L. 110–246, § 10303, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

## EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

### § 6523. National organic certification cost-share program

#### (a) In general

The Secretary of Agriculture shall establish a national organic certification cost-share program to assist producers and handlers of agricultural products in obtaining certification under the national organic production program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

#### (b) Federal share

##### (1) In general

Subject to paragraph (2), the Secretary shall pay under this section not more than 75 percent of the costs incurred by a producer or handler in obtaining certification under the national organic production program, as certified to and approved by the Secretary.

##### (2) Maximum amount

The maximum amount of a payment made to a producer or handler under this section shall be \$750.

#### (c) Reporting

Not later than March 1 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the requests by, disbursements to, and expenditures for each State under the program during the current and previous fiscal year, including the number of producers and handlers served by the program in the previous fiscal year.

#### (d) Mandatory funding

##### (1) In general

Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

- (A) \$2,000,000 for each of fiscal years 2019 and 2020;
- (B) \$4,000,000 for fiscal year 2021; and
- (C) \$8,000,000 for each of fiscal years 2022 and 2023.

##### (2) Availability

Amounts made available under paragraph (1) shall remain available until expended.

(Pub. L. 107-171, title X, §10606, May 13, 2002, 116 Stat. 514; Pub. L. 110-234, title X, §10301, May 22, 2008, 122 Stat. 1346; Pub. L. 110-246, §4(a), title X, §10301, June 18, 2008, 122 Stat. 1664, 2108; Pub. L. 112-240, title VII, §701(g)(3), Jan. 2, 2013, 126 Stat. 2366; Pub. L. 113-79, title X, §10004(c), Feb. 7, 2014, 128 Stat. 942; Pub. L. 115-334, title X, §10105, Dec. 20, 2018, 132 Stat. 4905.)

## REFERENCES IN TEXT

The Organic Foods Production Act of 1990, referred to in subsec. (a), is title XXI of Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3935, as amended, which is classified gen-

erally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6501 of this title and Tables.

## CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of the Organic Foods Production Act of 1990 which comprises this chapter.

## AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334, §10105(a), struck out “(acting through the Agricultural Marketing Service)” after “Secretary of Agriculture”.

Subsec. (d). Pub. L. 115-334, §10105(b), added subsec. (d) and struck out former subsec. (d) which related to funding to carry out this section for fiscal years 2013 to 2018.

2014—Subsec. (d)(1). Pub. L. 113-79 added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: “Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section \$22,000,000 for the period of fiscal years 2008 through 2012.”

2013—Subsec. (a). Pub. L. 112-240, §701(g)(3)(A), substituted “The Secretary of Agriculture (acting through the Agricultural Marketing Service) shall” for “Of funds of the Commodity Credit Corporation, the Secretary of Agriculture (acting through the Agricultural Marketing Service) shall use \$22,000,000 for fiscal year 2008, to remain available until expended, to”.

Subsec. (d). Pub. L. 112-240, §701(g)(3)(B), added subsec. (d).

2008—Subsec. (a). Pub. L. 110-246, §10301(1), substituted “\$22,000,000 for fiscal year 2008” for “\$5,000,000 for fiscal year 2002”.

Subsec. (b)(2). Pub. L. 110-246, §10301(2), substituted “\$750” for “\$500”.

Subsec. (c). Pub. L. 110-246, §10301(3), added subsec. (c).

## EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112-240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112-240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

## EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

### § 6524. Organically produced food

In the case of a food certified under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), the certification shall be considered sufficient to make a claim regarding the absence of bioengineering in the food, such as “not bioengineered”, “non-GMO”, or another similar claim.

(Pub. L. 114-216, §2, July 29, 2016, 130 Stat. 838.)

## REFERENCES IN TEXT

The Organic Foods Production Act of 1990, referred to in text, is title XXI of Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3935, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 6501 of this title and Tables.