

derstanding of sound nutritional principles including the role of milk and dairy products in a balanced diet;

(l) the term “United States”, when used in a geographical sense, means all of the States, the District of Columbia, and the Commonwealth of Puerto Rico;

(m) the term “imported dairy product” means any dairy product that is imported into the United States, including dairy products imported into the United States in the form of—

- (1) milk, cream, and fresh and dried dairy products;
- (2) butter and butterfat mixtures;
- (3) cheese; and
- (4) casein and mixtures;

(n) the term “importer” means a person that imports an imported dairy product into the United States; and

(o) the term “Customs” means the United States Customs Service.

(Pub. L. 98-180, title I, §111, Nov. 29, 1983, 97 Stat. 1136; Pub. L. 107-171, title I, §1505(a), (h)(2), May 13, 2002, 116 Stat. 207, 210; Pub. L. 110-234, title I, §1507(b), May 22, 2008, 122 Stat. 997; Pub. L. 110-246, §4(a), title I, §1507(b), June 18, 2008, 122 Stat. 1664, 1725.)

#### Editorial Notes

##### 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 L. 110-234 were repealed by section 4(a) of Pub.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

2008—Subsec. (l). Pub. L. 110-246, §1507(b)(1), added subsec. (l) and struck out former subsec. (l) which read as follows: “the term ‘United States’ as used in sections 4501 through 4508 of this title means the forty-eight contiguous States in the continental United States;”.

Subsec. (m). Pub. L. 110-246, §1507(b)(2), struck out “(as defined in subsection (l) of this section)” before “, including”.

2002—Subsec. (d). Pub. L. 107-171, §1505(h)(2), struck out “produced in the United States” before semicolon at end.

Subsec. (m) to (o). Pub. L. 107-171, §1505(a), added subsecs. (m) to (o).

#### Statutory Notes and Related Subsidiaries

##### 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.

##### 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.

#### § 4503. Issuance of orders

##### (a) Notice and opportunity for public comment

During the period beginning with November 29, 1983, and ending thirty days after receipt of a proposal for an initial dairy products promotion and research order, the Secretary shall publish such proposed order and give due notice and opportunity for public comment upon the proposed order. The proposal for an order may be submitted by an organization certified under section 4505 of this title or by any interested person affected by the provisions of this subchapter.

##### (b) Effective date of orders

After notice and opportunity for public comment are given, as provided for in subsection (a) of this section, the Secretary shall issue a dairy products promotion and research order. Such order shall become effective not later than ninety days following publication of the proposal.

##### (c) Amendment of orders

The Secretary may, from time to time, amend a dairy products promotion and research order.

##### (d) Order implementation and international trade obligations

The Secretary, in consultation with the United States Trade Representative, shall ensure that the order is implemented in a manner consistent with the international trade obligations of the Federal Government.

(Pub. L. 98-180, title I, §112, Nov. 29, 1983, 97 Stat. 1137; Pub. L. 107-171, title I, §1505(g), May 13, 2002, 116 Stat. 209.)

#### Editorial Notes

##### AMENDMENTS

2002—Subsec. (d). Pub. L. 107-171, which directed the addition of subsec. (d) at the end of section 112 of the Dairy Promotion Stabilization Act of 1983, was executed by adding subsec. (d) at the end of this section to reflect the probable intent of Congress.

#### § 4504. Required terms in orders

Any order issued under this subchapter shall contain terms and conditions as follows:

(a) The order shall provide for the establishment and administration of appropriate plans or projects for advertisement and promotion of the sale and consumption of dairy products, for research projects related thereto, for nutrition education projects, and for the disbursement of necessary funds for such purposes. Any such plan or project shall be directed toward the sale and marketing or use of dairy products to the end that the marketing and use of dairy products may be encouraged, expanded, improved, or made more acceptable. No such advertising or sales promotion program shall make use of unfair or deceptive acts or practices with respect to the quality, value, or use of any competing product.

(b) NATIONAL DAIRY PROMOTION AND RESEARCH BOARD.—