

§ 6415. Amendments

(a) Amendments to order

Subject to subsection (b), the Secretary may issue such amendments to an order as may be necessary to carry out this chapter.

(b) Amendment to assessment rates

(1) In general

The Secretary may conduct at any time a referendum of persons who, during a representative period as determined by the Secretary, have been fluid milk processors on adjusting the assessment rate under the order issued under this chapter then in effect, and shall hold such a referendum on request of the Board or any group of such processors that among them marketed during a representative period, as determined by the Secretary, 10 percent or more of the volume of fluid milk products marketed by all processors.

(2) Adjustment to assessment rate

The Secretary shall adjust the assessment rate under the order whenever the Secretary determines that the adjustment is favored—

- (A) by at least 50 percent of fluid milk processors voting in the referendum; and
- (B) by fluid milk processors that marketed during a representative period, as determined by the Secretary, 60 percent or more of the volume of fluid milk products marketed by all processors;

In no event shall the rate of assessment prescribed by the order exceed 20 cents per hundredweight.

(3) Effective date

The adjusted assessment rate shall be effective on a date, as determined by the Secretary, after the results of the referendum are known, but not later than 30 days after the referendum.

(4) Costs; manner

Subsections (c) and (d) of section 6413 of this title shall apply to a referendum conducted under this subsection.

(Pub. L. 101-624, title XIX, §1999P, Nov. 28, 1990, 104 Stat. 3926.)

§ 6416. Independent evaluation of programs

(a) Review and evaluation

The Comptroller General of the United States shall review and evaluate the order to—

- (1) determine the effectiveness of the promotion program conducted under this chapter on fluid milk sales;
- (2) determine if the assessments for the program have been passed back to milk producers by fluid milk processors; and
- (3) make recommendations for future funding and assessment levels for the program.

(b) Report to Congress

The Comptroller General shall submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the valuations made under this section no later than January 1, 1995.

(Pub. L. 101-624, title XIX, §1999Q, Nov. 28, 1990, 104 Stat. 3926.)

§ 6417. Authorization of appropriations

(a) In general

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

(b) Administrative expenses

The funds so appropriated shall not be available for payment of the expenses or expenditures of the Board in administering any provision of any order issued under this chapter.

(Pub. L. 101-624, title XIX, §1999R, Nov. 28, 1990, 104 Stat. 3926.)

CHAPTER 94—ORGANIC CERTIFICATION

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§ 6501. Purposes

- It is the purpose of this chapter—
- (1) to establish national standards governing the marketing of certain agricultural products as organically produced products;
 - (2) to assure consumers that organically produced products meet a consistent standard; and
 - (3) to facilitate interstate commerce in fresh and processed food that is organically produced.

(Pub. L. 101-624, title XXI, §2102, Nov. 28, 1990, 104 Stat. 3935.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 101-624, title XXI, §2101, Nov. 28, 1990, 104 Stat. 3935, provided that: "This title [enacting this chapter] may be cited as the 'Organic Foods Production Act of 1990'."

§ 6502. Definitions

As used in this chapter: