

**Agricultural Marketing Service, USDA**

**§ 1250.312**

**Subpart—Egg Research and Promotion Order**

SOURCE: 40 FR 59190, Dec. 22, 1975, unless otherwise noted.

**DEFINITIONS**

**§ 1250.301 Secretary.**

*Secretary* means the Secretary of Agriculture or any other officer or employee of the Department of Agriculture to whom there has heretofore been delegated, or to whom there may hereafter be delegated, the authority to act in his stead.

**§ 1250.302 Act.**

*Act* means the Egg Research and Consumer Information Act and as it may be amended (Pub. L. 93-428).

**§ 1250.303 Fiscal period.**

*Fiscal period* means the calendar year unless the Egg Board, with the approval of the Secretary, selects some other budgetary period.

**§ 1250.304 Egg Board or Board.**

*Egg Board* or *Board* or other designatory term adopted by such Board, with the approval of the Secretary, means the administrative body established pursuant to § 1250.326.

**§ 1250.305 Egg producer or producer.**

*Egg producer* or *producer* means any person who either:

(a) Is an egg farmer who acquires and owns laying hens, chicks, and/or started pullets for the purpose of and is engaged in the production of commercial eggs; or

(b) Is a person who supplied or supplies laying hens, chicks, and/or started pullets to an egg farmer for the purpose of producing commercial eggs pursuant to an oral or written contractual agreement for the production of commercial eggs. Such person is deemed to be the owner of such laying hens unless it is established in writing, to the satisfaction of the Secretary or the Egg Board, that actual ownership of the laying hens is in some other party to the contract. In the event the party to an oral contract who supplied or supplies the laying hens cannot be readily

identified by the Secretary or the Egg Board, the person who has immediate possession and control over the laying hens at the egg production facility shall be deemed to be the owner of such hens unless written notice is provided to the Secretary or the Egg Board, signed by the parties to said oral contract, clearly stating that the eggs are being produced under a contractual agreement and identifying the party (or parties) under said contract who is the owner of the hens.

**§ 1250.306 Commercial eggs or eggs.**

*Commercial eggs* or *eggs* means eggs from domesticated chickens which are sold for human consumption either in shell egg form or for further processing into egg products.

**§ 1250.307 Person.**

*Person* means any individual, group of individuals, partnership, corporation, association, cooperative, or any other entity.

**§ 1250.308 United States.**

*United States* means the 48 contiguous States of the United States of America and the District of Columbia.

**§ 1250.309 Handler.**

*Handler* means any person who receives or otherwise acquires eggs from an egg producer, and processes, prepares for marketing, or markets, such eggs, including eggs of his own production.

**§ 1250.310 Promotion.**

*Promotion* means any action, including paid advertising, to advance the image or desirability of eggs, egg products, spent fowl, or products of spent fowl.

**§ 1250.311 Research.**

*Research* means any type of research to advance the image, desirability, marketability, production, or quality of eggs, egg products, spent fowl, or products of spent fowl, or the evaluation of such research.

**§ 1250.312 Marketing.**

*Marketing* means the sale or other disposition of commercial eggs, egg