

**§ 1260.105**

**§ 1260.105 Person.**

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

**§ 1260.106 Collecting person.**

*Collecting person* means the person making payment to a producer for cattle, or any other person who is responsible for collecting and remitting an assessment pursuant to the Act, the order and regulations prescribed by the Board and approved by the Secretary.

**§ 1260.107 State.**

*State* means each of the 50 States.

**§ 1260.108 United States.**

*United States* means the 50 States and the District of Columbia.

**§ 1260.109 Unit.**

*Unit* means each State, group of States or class designation which is represented on the Board.

**§ 1260.110 [Reserved]**

**§ 1260.111 Fiscal year.**

*Fiscal year* means the calendar year or such other annual period as the Board may determine.

**§ 1260.112 Federation.**

*Federation* means the Beef Industry Council of the National Live Stock and Meat Board, or any successor organization to the Beef Industry Council, which includes as its State affiliates the qualified State beef councils.

**§ 1260.113 Established national nonprofit industry-governed organizations.**

*Established national nonprofit industry-governed organizations* means organizations which:

(a) Are nonprofit organizations pursuant to sections 501(c) (3), (5) or (6) of the Internal Revenue Code (26 U.S.C. 501(c) (3), (5) and (6));

(b) Are governed by a board of directors representing the cattle or beef industry on a national basis; and

(c) Were active and ongoing before the enactment of the Act.

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**§ 1260.114 Eligible organization.**

*Eligible organization* means any organization which has been certified by the Secretary pursuant to the Act and this part as being eligible to submit nominations for membership on the Board.

**§ 1260.115 Qualified State beef council.**

*Qualified State beef council* means a beef promotion entity that is authorized by State statute or a beef promotion entity organized and operating within a State that receives voluntary assessments or contributions; conducts beef promotion, research, and consumer and industry information programs; and that is certified by the Board pursuant to this subpart as the beef promotion entity in such State.

**§ 1260.116 Producer.**

*Producer* means any person who owns or acquires ownership of cattle; provided, however, that a person shall not be considered a producer within the meaning of this subpart if (a) the person's only share in the proceeds of a sale of cattle or beef is a sales commission, handling fee, or other service fee; or (b) the person (1) acquired ownership of cattle to facilitate the transfer of ownership of such cattle from the seller to a third party, (2) resold such cattle no later than ten (10) days from the date on which the person acquired ownership, and (3) certified, as required by regulations prescribed by the Board and approved by the Secretary, that the requirements of this provision have been satisfied.

**§ 1260.117 Importer.**

*Importer* means any person who imports cattle, beef, or beef products from outside the United States.

**§ 1260.118 Cattle.**

*Cattle* means live domesticated bovine animals regardless of age.

**§ 1260.119 Beef.**

*Beef* means flesh of cattle.

**§ 1260.120 Beef products.**

*Beef products* means edible products produced in whole or in part from beef,