

in whole or in part to 4-H, the 4-H message or salute must be distinctly set apart from any commercial product message or reference.

(b) Advertisements, news releases, publications in any form, visuals and audio-visuals, or displays in any form must not include actual or implied testimonials or endorsements of business firms, commercial products or services, either by 4-H Clubs, other 4-H organizations and affiliated groups, 4-H youth participants, volunteer 4-H leaders, the Cooperative Extension Services, the land-grant institutions, USDA, or by any employees associated with any of the foregoing. Statements that a product is used or preferred to the exclusion of similar products are not permitted.

(c) The granting of an authorization to a non-Extension affiliated agency, organization or individual, for production of films, visual and audio-visual materials, books, publications in any form, etc., is contingent upon approval of the initial proposal and subject to review of the script of the visual or audio-visual or draft of the publication when the draft is in the final working form.

§ 8.9 Use in 4-H fund raising.

(a) Fund-raising programs using the 4-H Name or Emblem may be carried out for specific educational purposes. Such fund-raising programs and use of the 4-H name and emblem on, or associated with, products, and services for such purposes must have the approval of appropriate Cooperative Extension office, as follows:

(1) Approval of the County Cooperative Extension Service, or the appropriate land-grant institution, if the fund-raising program is confined to the area served by the County Cooperative Extension Service.

(2) Approval of the State Cooperative Extension Service, or the appropriate land-grant institution, if the fund-raising program is multi-county or State-wide.

(3) Approval of the Administrator of the Cooperative State Research, Education, and Extension Service, United States Department of Agriculture, or a designee, if the fund-raising program is multi-State or Nationwide.

(b) When used to promote 4-H educational programs, the 4-H Club name and emblem, subject to obtaining authorization as provided in these regulations, may be used on or associated with products and services sold in connection with 4-H fund-raising programs so long as no endorsement or the appearance of an endorsement of a commercial firm, product or service is either intended or effected. Tributes to 4-H contained on or associated with commercial products or services, when such products or services are used for the fund-raising activities, are subject to the requirements of this paragraph. All moneys received from 4-H fund-raising programs, except those necessary to pay reasonable expenses, must be expended to further the 4-H educational programs.

[52 FR 8432, Mar. 17, 1987, as amended at 60 FR 52293, Oct. 6, 1995]

PARTS 9-10 [RESERVED]

PART 11—NATIONAL APPEALS DIVISION

Subpart A—National Appeals Division Rules of Procedures

Sec.

- 11.1 Definitions.
- 11.2 General statement.
- 11.3 Applicability.
- 11.4 Other laws and regulations.
- 11.5 Informal review of adverse decisions.
- 11.6 Director review of agency determination of appealability and right of participants to Division hearing.
- 11.7 *Ex parte* communications.
- 11.8 Division hearings.
- 11.9 Director review of determinations of Hearings Officers.
- 11.10 Basis for determinations.
- 11.11 Reconsideration of Director determinations.
- 11.12 Effective date and implementation of final determinations of the Division.
- 11.13 Judicial review.
- 11.14 Filing of appeals and computation of time.
- 11.15 Participation of third parties and interested parties in Division proceedings.

Subpart B—Organization And Functions

- 11.20 General statement.
- 11.21 Organization.
- 11.22 Functions.