

**§ 1250.305**

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.

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**§ 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 products, spent fowl, or products of spent fowl in any channel of commerce.

**§ 1250.313 Eligible organization.**

*Eligible organization* means any organization, association, or cooperative which represents egg producers of any egg producing area of the United States certified by the Secretary pursuant to §1250.356.

**§ 1250.314 Plans and projects.**

*Plans and projects* means those research, consumer and producer education, advertising, marketing, product development, and promotion plans, studies, or projects pursuant to §1250.341.

**§ 1250.315 Part and subpart.**

*Part* means the Egg Research and Promotion Order and all rules, regulations, and supplemental order issued pursuant to the act and the order. "Subpart" refers to the aforesaid order or any other portion or segment of this part.