

ing regulations relating to the assessment of late payment charges.

(Pub. L. 101-624, title XIX, §1976, Nov. 28, 1990, 104 Stat. 3904.)

CHAPTER 93—PROCESSOR-FUNDED MILK PROMOTION PROGRAM

- Sec.
6401. Findings and declaration of policy.
 (a) Findings.
 (b) Policy.
6402. Definitions.
6403. Authority to issue orders.
 (a) In general.
 (b) Scope.
 (c) One order.
6404. Notice and comment.
6405. Findings and issuance of orders.
 (a) In general.
 (b) Effective date.
6406. Regulations.
6407. Required terms in orders.
 (a) In general.
 (b) National Processor Advertising and Promotion Board.
 (c) Powers and duties of Board.
 (d) Plans and budgets.
 (e) Prohibition on branded advertising.
 (f) Contracts and agreements.
 (g) Investment of funds.
 (h) Books and records of Board.
 (i) Books and records of processors.
 (j) Prohibition on use of funds to influence governmental action.
 (k) Coordination.
 (l) Exemptions.
 (m) Report.
 (n) Other terms and conditions.
6408. Permissive terms.
 (a) In general.
 (b) Advertising.
 (c) Research and development.
 (d) Reserve funds.
 (e) Other terms.
6409. Assessments.
 (a) In general.
 (b) No effect on producer prices.
 (c) Remitting assessments.
 (d) Limitation on assessments.
 (e) Producer-handlers.
 (f) Processor assessment rate.
6410. Petition and review.
 (a) Petition.
 (b) Review.
6411. Enforcement.
 (a) Jurisdiction.
 (b) Referral to Attorney General.
 (c) Civil penalties and orders.
 (d) Review by district court.
 (e) Failure to obey orders.
 (f) Failure to pay penalties.
 (g) Additional remedies.
6412. Investigations and power to subpoena.
 (a) Investigations.
 (b) Subpoenas, oaths, and affirmations.
 (c) Aid of courts.
 (d) Contempt.
 (e) Process.
 (f) Hearing site.
6413. Requirement of initial referendum.
 (a) In general.
 (b) Implementation.
 (c) Costs of referendum.
 (d) Manner.
6414. Suspension or termination of orders.
 (a) Termination of order.
 (b) Suspension or termination by Secretary.

- Sec.
6415. Amendments.
 (c) Other referenda.
 (a) Amendments to order.
 (b) Amendment to assessment rates.
6416. Independent evaluation of programs.
 (a) Review and evaluation.
 (b) Report to Congress.
6417. Authorization of appropriations.
 (a) In general.
 (b) Administrative expenses.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 7401 of this title.

§ 6401. Findings and declaration of policy

(a) Findings

Congress finds that—

(1) fluid milk products are basic foods and are a primary source of required nutrients such as calcium, and otherwise are a valuable part of the human diet;

(2) fluid milk products must be readily available and marketed efficiently to ensure that the people of the United States receive adequate nourishment;

(3) the dairy industry plays a significant role in the economy of the United States, in that milk is produced by thousands of milk producers and dairy products (including fluid milk products) are consumed every day by millions of people in the United States;

(4) the processing of milk into fluid milk products and the marketing of such products are important to the dairy industry because the fluid milk segment of the dairy market contributes substantially to ensuring that the prices paid to milk producers for raw milk are stable and adequate to maintain the overall strength of the dairy industry;

(5) the maintenance and expansion of markets for fluid milk products are vital to the Nation's fluid milk processors and milk producers, as well as to the general economy of the United States;

(6) the congressional purpose underlying this chapter is to maintain and expand markets for fluid milk products, not to maintain or expand any processor's share of those markets and that the chapter does not prohibit or restrict individual advertising or promotion of fluid milk products since the programs created and funded by this chapter are not extended to replace individual advertising and promotion efforts;

(7) the cooperative development, financing, and implementation of a coordinated program of advertising and promotion of fluid milk products is necessary to maintain and expand markets for fluid milk products;

(8) it is appropriate to finance the cooperative program described in paragraph (6)¹ with self-help assessments paid by the fluid milk processors; and

(9) fluid milk products move in interstate and foreign commerce, and fluid milk products that do not move in such channels of commerce directly burden or affect interstate commerce in fluid milk products.

(b) Policy

It is declared to be the policy of Congress that it is in the public interest to authorize the es-

¹ So in original. Probably should be paragraph "(7)".