

ernment responsible for administering or managing Federal lands under its jurisdiction.

**(3) Federal lands**

The term “Federal lands” means lands managed by or under the jurisdiction of the Federal Government.

**(4) Integrated management system**

The term “integrated management systems” means a system for the planning and implementation of a program, using an interdisciplinary approach, to select a method for containing or controlling an undesirable plant species or group of species using all available methods, including—

- (A) education;
- (B) preventive measures;
- (C) physical or mechanical methods;
- (D) biological agents;
- (E) herbicide methods;
- (F) cultural methods; and
- (G) general land management practices such as manipulation of livestock or wildlife grazing strategies or improving wildlife or livestock habitat.

**(5) Interdisciplinary approach**

The term “interdisciplinary approach” means an approach to making decisions regarding the containment or control of an undesirable plant species or group of species, which—

- (A) includes participation by personnel of Federal or State agencies with experience in areas including weed science, range science, wildlife biology, land management, and forestry; and
- (B) includes consideration of—
  - (i) the most efficient and effective method of containing or controlling the undesirable plant species;
  - (ii) scientific evidence and current technology;
  - (iii) the physiology and habitat of a plant species; and
  - (iv) the economic, social, and ecological consequences of implementing the program.

**(6) State agencies**

The term “State agency” means a State department of agriculture, or other State agency or political subdivision thereof, responsible for the administration or implementation of undesirable plants laws of a State.

**(7) Undesirable plant species**

The term “undesirable plants” means plant species that are classified as undesirable, noxious, harmful, exotic, injurious, or poisonous, pursuant to State or Federal law. Species listed as endangered by the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.] shall not be designated as undesirable plants under this section and shall not include plants indigenous to an area where control measures are to be taken under this section.

**(f) Coordination**

**(1) In general**

The Secretary of Agriculture and the Secretary of the Interior shall take such actions

as may be necessary to coordinate Federal agency programs for control, research, and educational efforts associated with Federal, State, and locally designated noxious weeds.

**(2) Duties**

The Secretary, in consultation with the Secretary of the Interior, shall—

- (A) identify regional priorities for noxious weed control;
- (B) incorporate into existing technical guides regionally appropriate technical information; and
- (C) disseminate such technical information to interested State, local, and private entities.

**(3) Cost share assistance**

The Secretary may provide cost share assistance to State and local agencies to manage noxious weeds in an area if a majority of landowners in that area agree to participate in a noxious weed management program.

**(g) Authorization of appropriations**

There is authorized to be appropriated such sums as may be necessary in each of fiscal years 1991 through 1995 to carry out this section.

(Pub. L. 93-629, §15, as added Pub. L. 101-624, title XIV, §1453, Nov. 28, 1990, 104 Stat. 3611.)

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsec. (b), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

The Endangered Species Act of 1973, referred to in subsec. (e)(7), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified generally to chapter 35 (§1531 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of Title 16 and Tables.

**CHAPTER 62—BEEF RESEARCH AND INFORMATION**

Sec.	
2901.	Congressional findings and declaration of policy.
2902.	Definitions.
2903.	Issuance of orders.
2904.	Required terms in orders.
2905.	Certification of organizations to nominate. <ul style="list-style-type: none"> <li>(a) Eligibility of State organization certified by Secretary; eligibility criteria.</li> <li>(b) State cattle association or State general farm organization.</li> <li>(c) Factual report basis for certification of State cattle association and State general farm association.</li> <li>(d) Certification of more than one State organization; caucus.</li> </ul>
2906.	Requirement of referendum. <ul style="list-style-type: none"> <li>(a) Continuation or termination of order.</li> <li>(b) Additional referendum to determine suspension or termination of order.</li> <li>(c) Reimbursement for cost of referendum; time and place of referendum; certification by producers; absentee mail ballot.</li> </ul>
2907.	Refunds. <ul style="list-style-type: none"> <li>(a) Establishment of escrow account.</li> <li>(b) Funding escrow account.</li> </ul>

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- (c) Demand and receipt of one-time refund.
  - (d) Form and time period for demand for one-time refund.
  - (e) Submission of proof for one-time refund.
  - (f) Insufficiency of funds in escrow account; proration of funds among eligible persons.
2908. Enforcement.
- (a) Restraining order; civil penalty.
  - (b) Jurisdiction of district court.
  - (c) Civil action to be referred to Attorney General.
2909. Investigations by Secretary; oaths and affirmations; subpoenas; judicial enforcement; contempt proceedings; service of process.
2910. Preemption of other Federal and State programs; applicability of provisions to amendments to orders.
2911. Authorization of appropriations.  
2912 to 2918. Omitted.

CHAPTER REFERRED TO IN OTHER SECTIONS

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

**§ 2901. Congressional findings and declaration of policy**

(a) Congress finds that—

(1) beef and beef products are basic foods that are a valuable part of human diet;

(2) the production of beef and beef products plays a significant role in the Nation's economy, beef and beef products are produced by thousands of beef producers and processed by numerous processing entities, and beef and beef products are consumed by millions of people throughout the United States and foreign countries;

(3) beef and beef products should be readily available and marketed efficiently to ensure that the people of the United States receive adequate nourishment;

(4) the maintenance and expansion of existing markets for beef and beef products are vital to the welfare of beef producers and those concerned with marketing, using, and producing beef products, as well as to the general economy of the Nation;

(5) there exist established State and national organizations conducting beef promotion, research, and consumer education programs that are invaluable to the efforts of promoting the consumption of beef and beef products; and

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

(b) It, therefore, is declared to be the policy of Congress that it is in the public interest to authorize the establishment, through the exercise of the powers provided herein, of an orderly procedure for financing (through assessments on all cattle sold in the United States and on cattle, beef, and beef products imported into the United States) and carrying out a coordinated program of promotion and research designed to strengthen the beef industry's position in the marketplace and to maintain and expand domestic and foreign markets and uses for beef and beef products. Nothing in this chapter shall be construed

to limit the right of individual producers to raise cattle.

(Pub. L. 94-294, § 2, May 28, 1976, 90 Stat. 529; Pub. L. 99-198, title XVI, § 1601(b), Dec. 23, 1985, 99 Stat. 1597.)

AMENDMENTS

1985—Pub. L. 99-198 amended section generally.

EFFECTIVE DATE OF 1985 AMENDMENT

Section 1601(c) of Pub. L. 99-198 provided that: "The amendments made by this section [amending this section and sections 2902 to 2911 of this title, omitting sections 2912 to 2918 of this title and provisions set out as a note under this section, and enacting provisions set out as a note under this section] shall take effect on January 1, 1986."

EFFECTIVE DATE

Section 21 of Pub. L. 94-294 provided that: "This Act [enacting this chapter and provisions set out as notes under this section] shall take effect upon enactment [May 28, 1976]".

SHORT TITLE OF 1985 AMENDMENT

Section 1601(a) of Pub. L. 99-198 provided that: "This section [amending this section and sections 2902 to 2911 of this title, omitting sections 2912 to 2918 of this title and provisions set out as a note under this section, and enacting provisions set out as a note under this section] may be cited as the 'Beef Promotion and Research Act of 1985'."

SHORT TITLE

Section 1 of Pub. L. 94-294 provided: "That this Act [enacting this chapter and provisions set out as notes under this section] shall be known as the 'Beef Research and Information Act'."

SEPARABILITY

Section 19 of Pub. L. 94-294, which provided that if any provision of this Act [enacting this chapter and provisions set out as notes under this section] or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby, was omitted in the general revision of sections 2 through 20 of Pub. L. 94-294 by Pub. L. 99-198, title XVI, § 1601(b), Dec. 28, 1985, 99 Stat. 1597.

**§ 2902. Definitions**

For purposes of this chapter—

(1) the term "beef" means flesh of cattle;

(2) the term "beef products" means edible products produced in whole or in part from beef, exclusive of milk and products made therefrom;

(3) the term "Board" means the Cattlemen's Beef Promotion and Research Board established under section 2904(1) of this title;

(4) the term "cattle" means live domesticated bovine animals regardless of age;

(5) the term "Committee" means the Beef Promotion Operating Committee established under section 2904(5) of this title;

(6) the term "consumer information" means nutritional data and other information that will assist consumers and other persons in making evaluations and decisions regarding the purchasing, preparing, and use of beef and beef products;

(7) the term "Department" means the Department of Agriculture.<sup>1</sup>

<sup>1</sup> So in original. The period probably should be a semicolon.