

§ 4819. Authorization of appropriations

(a) There are authorized to be appropriated such sums as may be necessary for the Secretary to carry out this chapter, subject to reimbursement from the Board under section 4809(c)(3)(B)(iv) of this title.

(b) Sums appropriated to carry out this chapter shall not be available for payment of an expense or expenditure incurred by the Board in administering an order.

(Pub. L. 99-198, title XVI, §1630, Dec. 23, 1985, 99 Stat. 1621.)

CHAPTER 80—WATERMELON RESEARCH AND PROMOTION

- Sec.
- 4901. Congressional findings and declaration of policy.
- 4902. Definitions.
- 4903. Issuance of plans.
- 4904. Notice and hearings.
- 4905. Regulations.
- 4906. Required terms in plans.
 - (a) Description of terms and provisions.
 - (b) Establishment and powers of National Watermelon Promotion Board.
 - (c) Membership of Board; representation of interests; appointment; nomination; eligibility of producers; importer representation.
 - (d) Compensation and expenses of Board.
 - (e) Budget on fiscal period basis.
 - (f) Assessments; payments; notice.
 - (g) Scope of expenditures; restrictions; assessments on per-unit basis; importers.
 - (h) Refunds.
 - (i) Submission of programs or projects; approval by Secretary.
 - (j) Contract authority.
 - (k) Recordkeeping; accounting and audit reports.
 - (l) Certification.
- 4907. Permissive terms in plans.
 - (a) Description of terms and provisions; prohibition.
 - (b) Exemptions.
 - (c) Designation of different handler payment and reporting schedules for assessments.
 - (d) Advertising and sales promotion programs or projects.
 - (e) Marketing objectives of research and development projects and studies.
 - (f) Reserve funds; limitation.
 - (g) Foreign market sales.
 - (h) Other terms and conditions.
- 4908. Assessment procedures.
 - (a) Persons responsible for remittance of assessments; recordkeeping; equal and unitary assessments.
 - (b) Inspection of records.
 - (c) Confidentiality of information; disclosure authority; general or violation statements; penalties; removal from office.
- 4909. Petition and review.
- 4910. Enforcement.
- 4911. Investigation and power to subpoena.
- 4912. Requirement of referendum.
- 4913. Suspension or termination of plans.
- 4914. Amendment procedure.
 - (a) In general.
 - (b) Separate consideration of amendments.
- 4915. Separability.
- 4916. Authorization of appropriations.

§ 4901. Congressional findings and declaration of policy

(a) Congress finds that—

(1) the per capita consumption of watermelons in the United States has declined steadily in recent years;

(2) watermelons are an important cash crop to many farmers in the United States and are an economical, enjoyable, and healthful food for consumers;

(3) approximately 2,607,600,000 pounds of watermelons with a farm value of \$158,923,000 were produced in 1981 in the United States;

(4) watermelons move in the channels of interstate commerce, and watermelons that do not move in such channels directly affect interstate commerce;

(5) the maintenance and expansion of existing markets and the establishment of new or improved markets and uses for watermelons are vital to the welfare of watermelon growers and those concerned with marketing, using, handling, and importing watermelons, as well as the general economic welfare of the Nation; and

(6) the development and implementation of coordinated programs of research, development, advertising, and promotion are necessary to maintain and expand existing markets and establish new or improved markets and uses for watermelons.

(b) It is declared to be the policy of Congress that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the development, financing (through adequate assessments on watermelons harvested in the United States, or imported into the United States, for commercial use), and carrying out of an effective, continuous, and coordinated program of research, development, advertising, and promotion designed to strengthen the watermelon's competitive position in the marketplace, and establish, maintain, and expand domestic and foreign markets for watermelons. The purpose of this chapter is to so authorize the establishment of such procedure and the development, financing, and carrying out of such program. Nothing in this chapter may be construed to dictate quality standards nor provide for the control of production or otherwise limit the right of individual watermelon producers to produce watermelons.

(Pub. L. 99-198, title XVI, §1642, Dec. 23, 1985, 99 Stat. 1622; Pub. L. 103-189, §8(k)(1), (2), Dec. 14, 1993, 107 Stat. 2263.)

AMENDMENTS

1993—Subsec. (a)(5). Pub. L. 103-189, §8(k)(1), substituted “handling, and importing” for “and handling”.
 Subsec. (b). Pub. L. 103-189, §8(k)(2), inserted “, or imported into the United States,” after “harvested in the United States” and struck out “produced in the United States” after “foreign markets for watermelons”.

SHORT TITLE OF 1993 AMENDMENT

Section 1(a) of Pub. L. 103-189 provided that: “This Act [amending this section and sections 4902 to 4904, 4906, 4908, and 4911 to 4914 of this title] may be cited as the ‘Watermelon Research and Promotion Improvement Act of 1993’.”