

(Pub. L. 101-624, title XVI, §1680, Nov. 28, 1990, 104 Stat. 3781; Pub. L. 104-127, title VIII, §841, Apr. 4, 1996, 110 Stat. 1170; Pub. L. 105-185, title II, §246, June 23, 1998, 112 Stat. 556; Pub. L. 107-171, title VII, §§7122, 7208(c), May 13, 2002, 116 Stat. 434, 444.)

AMENDMENTS

2002—Subsec. (a)(6). Pub. L. 107-171, §7208(c), added par. (6).

Subsec. (c)(1). Pub. L. 107-171, §7122, substituted “2007” for “2002”.

1998—Subsec. (a)(6). Pub. L. 105-185, §246(1), struck out heading and text of par. (6). Text read as follows: “There are authorized to be appropriated to carry out this subsection—

“(A) not less than \$3,000,000 for each of the fiscal years 1991 and 1992; and

“(B) not less than \$5,000,000 for each of the fiscal years 1993 through 1997.”

Subsec. (b). Pub. L. 105-185, §246(2), struck out par. (1) designation and heading and struck out heading and text of par. (2). Text read as follows: “There are authorized to be appropriated \$1,000,000 to carry out this subsection for each of the fiscal years 1991 through 1997.”

Subsec. (c). Pub. L. 105-185, §246(3), added subsec. (c). 1996—Subsecs. (a)(6)(B), (b)(2). Pub. L. 104-127 substituted “1997” for “1996”.

§ 5934. Research on honeybee diseases

(a) Sense of Congress

It is the sense of Congress that—

(1) diseases affecting the entire honeybee population impact on the ability of honeybees to carry out crop pollination and honey production, and therefore impact negatively on beekeepers, producers and consumers; and

(2) certain diseases (such as those caused by tracheal mite, varroa mite, and the Africanized honeybee) pose a threat to the continued well-being of the general honeybee population, and thus merit further study.

(b) Research

Notwithstanding any other provision of law, the Secretary of Agriculture shall give priority attention to the funding of research regarding the diseases referred to in subsection (a) of this section that are affecting the honeybee population.

(Pub. L. 101-624, title XVI, §1681, Nov. 28, 1990, 104 Stat. 3782; Pub. L. 102-237, title IV, §407(17), Dec. 13, 1991, 105 Stat. 1865.)

AMENDMENTS

1991—Subsec. (a)(2). Pub. L. 102-237 substituted “tracheal mite” for “teacheal mite”.

§ 5935. Use of remote sensing data and other data to anticipate potential food, feed, and fiber shortages or excesses and to provide timely information to assist farmers with planting decisions

(a) Findings

Congress finds that—

(1) remote sensing data can be useful to predict impending famine problems and forest infestations in time to allow remedial action;

(2) remote sensing data can inform the agricultural community as to the condition of crops and the land that sustains those crops; and

(3) remote sensing data and other data can be valuable, when received on a timely basis, in determining the need for additional plantings of a particular crop or a substitute crop.

(b) Information development

The Secretary of Agriculture and the Administrator of the National Aeronautics and Space Administration, maximizing private funding and involvement, shall provide farmers and other interested persons with timely information, through remote sensing, on crop conditions, fertilization and irrigation needs, pest infiltration, soil conditions, projected food, feed, and fiber production, and any other information available through remote sensing.

(c) Coordination

The Secretary of Agriculture and the Administrator of the National Aeronautics and Space Administration shall jointly develop a proposal to provide farmers and other prospective users with supply and demand information for food and fibers.

(d) Sunset

The authorities provided by this section shall expire 5 years after April 4, 1996.

(Pub. L. 104-127, title VIII, §892, Apr. 4, 1996, 110 Stat. 1183.)

CODIFICATION

Section was enacted as part of the Federal Agriculture Improvement and Reform Act of 1996, and not as part of subtitle H of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

REMOTE SENSING FOR AGRICULTURAL AND RESOURCE MANAGEMENT

Pub. L. 106-391, title III, §316, Oct. 30, 2000, 114 Stat. 1596, provided that:

“(a) INFORMATION DEVELOPMENT.—The Administrator [of the National Aeronautics and Space Administration] shall—

“(1) consult with the Secretary of Agriculture to determine data product types that are of use to farmers which can be remotely sensed from air or space;

“(2) consider useful commercial data products related to agriculture as identified by the focused research program between the National Aeronautics and Space Administration’s Stennis Space Center and the Department of Agriculture; and

“(3) examine other data sources, including commercial sources, LightSAR, RADARSAT I, and RADARSAT II, which can provide domestic and international agricultural information relating to crop conditions, fertilization and irrigation needs, pest infiltration, soil conditions, projected food, feed, and fiber production, and other related subjects.

“(b) PLAN.—After performing the activities described in subsection (a) the Administrator shall, in consultation with the Secretary of Agriculture, develop a plan to inform farmers and other prospective users about the use and availability of remote sensing products that may assist with agricultural and forestry applications identified in subsection (a). The Administrator shall transmit such plan to the Congress not later than 180 days after the date of the enactment of this Act [Oct. 30, 2000].

“(c) IMPLEMENTATION.—Not later than 90 days after the plan has been transmitted under subsection (b), the Administrator shall implement the plan.”

CHAPTER 89—PECAN PROMOTION AND RESEARCH

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§ 6001. Findings and declaration of policy

(a) Findings

Congress finds that—

(1) pecans are a native American nut that is an important food, and is a valuable part of the human diet;

(2) the production of pecans plays a significant role in the economy of the United States in that pecans are produced by thousands of pecan producers, shelled and processed by numerous shellers and processors, and pecans produced in the United States are consumed by millions of people throughout the United States and foreign countries;

(3) pecans must be high quality, readily available, handled properly, and marketed efficiently to ensure that consumers have an adequate supply of pecans;

(4) the maintenance and expansion of existing markets and development of new markets for pecans are vital to the welfare of pecan producers and those concerned with marketing, using, and producing pecans, as well as to the general economy of the United States, and necessary to ensure the ready availability and efficient marketing of pecans;

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

(6) the cooperative development, financing, and implementation of a coordinated national program of pecan promotion, research, industry information, and consumer information are necessary to maintain and expand existing markets and develop new markets for pecans; and

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

(b) Policy

It 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 in this chapter, of an orderly procedure for developing, financing (through adequate assessments on pecans produced or imported into the United States), and carrying out an effective, continuous, coordinated program of promotion, research, industry information, and consumer information designed to—

(1) strengthen the pecan industry's position in the marketplace;

(2) maintain and expand existing domestic and foreign markets and uses for pecans; and

(3) develop new markets and uses for pecans.

(c) Construction

Nothing in this chapter may be construed to provide for the control of production or otherwise limit the right of any person to produce pecans.

(Pub. L. 101-624, title XIX, §1906, Nov. 28, 1990, 104 Stat. 3838.)

SHORT TITLE

Section 1901 of title XIX of Pub. L. 101-624, as amended by Pub. L. 102-237, title VIII, §801, Dec. 13, 1991, 105 Stat. 1882, provided that: "This title [enacting this chapter and chapters 90 to 93 of this title and sections 2109, 2278, and 4610a of this title, amending sections 1787, 2101, 2106 to 2108, 2110, 2116, 2611 to 2614, 2617 to 2619, 2622 to 2624, 4602, 4606, 4608, and 4612 of this title, and enacting provisions set out as notes under sections 2101, 2611, 2625, 4601, and 4603 of this title] may be cited as the 'Agricultural Promotion Programs Act of 1990'."

Section 1905 of Pub. L. 101-624 provided that: "This subtitle [subtitle A (§§1905-1918) of title XIX of Pub. L. 101-624, enacting this chapter] may be cited as the 'Pecan Promotion and Research Act of 1990'."

§ 6002. Definitions

As used in this chapter—

(1) Board

The term "Board" means the Pecan Marketing Board established in section 6005(b) of this title.

(2) Commerce

The term "commerce" means interstate, foreign, or intrastate commerce.

(3) Conflict of interest

The term "conflict of interest" means a situation in which a member has a direct or indirect financial interest in a corporation, partnership, sole proprietorship, joint venture, or other business entity dealing directly or indirectly with the Board.

(4) Consumer information

The term "consumer information" means information and programs that will assist consumers and other persons in making evaluations and decisions regarding the purchase, preparation, and use of pecans.

(5) Department

The term "Department" means the Department of Agriculture.

(6) District

The term "district" means a geographical area of the United States, as determined by the Board and approved by the Secretary, in which there is produced approximately one-fourth of the volume of pecans produced in the United States.

(7) First handler

The term "first handler" means the first person who buys or takes possession of pecans from a grower for marketing. If a grower markets pecans directly to consumers, such grower shall be considered the first handler with respect to pecans grown by such grower.

(8) Grower

The term "grower" means any person engaged in the production and sale of pecans in