

**§ 2911. Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out this chapter. Sums appropriated to carry out this chapter shall not be available for payment of the expenses or expenditures of the Board or the Committee in administering any provisions of the order issued under section 2903(b) of this title.

(Pub. L. 94-294, §12, May 28, 1976, 90 Stat. 535; Pub. L. 99-198, title XVI, §1601(b), Dec. 23, 1985, 99 Stat. 1606.)

## AMENDMENTS

1985—Pub. L. 99-198 amended section generally, substituting provisions relating to authorization of appropriations for provisions relating to refund of assessment from Beef Board.

## EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-198 effective Jan. 1, 1986, see section 1601(c) of Pub. L. 99-198, set out as a note under section 2901 of this title.

**§§ 2912 to 2918. Omitted**

## CODIFICATION

Sections 2912 to 2918 of this title were omitted in the general revision of this chapter by Pub. L. 99-198, title XVI, §1601(b), Dec. 23, 1985, 99 Stat. 1597.

Section 2912, Pub. L. 94-294, §13, May 28, 1976, 90 Stat. 535, related to administrative review of orders, petition for such review, a hearing, and judicial review.

Section 2913, Pub. L. 94-294, §14, May 28, 1976, 90 Stat. 536, related to enforcement of orders, referral of civil actions to Attorney General, penalties for willful violations, and availability of additional remedies. See section 2908 of this title.

Section 2914, Pub. L. 94-294, §15, May 28, 1976, 90 Stat. 536, related to certification of organizations and contents of a factual report as criteria. See section 2905 of this title.

Section 2915, Pub. L. 94-294, §16, May 28, 1976, 90 Stat. 537, provided that nothing in this chapter be construed to interfere with workings of any State beef board, council, or other promotion entity. See section 2910(a) of this title.

Section 2916, Pub. L. 94-294, §17, May 28, 1976, 90 Stat. 537, authorized Secretary to promulgate regulations to carry out this chapter.

Section 2917, Pub. L. 94-294, §18, May 28, 1976, 90 Stat. 537, related to investigations by Secretary, oaths and affirmations, subpoenas, judicial enforcement, contempt proceedings, and service of process. See section 2909 of this title.

Section 2918, Pub. L. 94-294, §20, May 28, 1976, 90 Stat. 538, authorized appropriations to carry out this chapter. See section 2911 of this title.

**CHAPTER 63—FARMER-TO-CONSUMER  
DIRECT MARKETING**

Sec.	
3001.	Congressional statement of purpose.
3002.	Definitions.
3003.	Survey.
3004.	Direct marketing assistance within the States.
3005.	Farmers' Market and Local Food Promotion Program.
3006.	Authorization of appropriations.
3007.	Seniors farmers' market nutrition program.

**§ 3001. Congressional statement of purpose**

It is the purpose of this chapter to promote, through appropriate means and on an economi-

cally sustainable basis, the development and expansion of direct marketing of agricultural commodities from farmers to consumers. To accomplish this objective, the Secretary of Agriculture (hereinafter referred to as the "Secretary") shall initiate and coordinate a program designed to facilitate direct marketing from farmers to consumers for the mutual benefit of consumers and farmers.

(Pub. L. 94-463, §2, Oct. 8, 1976, 90 Stat. 1982.)

## SHORT TITLE

Pub. L. 94-463, §1, Oct. 8, 1976, 90 Stat. 1982, provided: "That this Act [enacting this chapter and provisions set out as a note under section 5145 of Title 42, The Public Health and Welfare] may be cited as the 'Farmer-to-Consumer Direct Marketing Act of 1976'."

**§ 3002. Definitions**

For purposes of this chapter, the term "direct marketing from farmers to consumers" shall mean the marketing of agricultural commodities at any marketplace (including, but not limited to, roadside stands, city markets, and vehicles used for house-to-house marketing of agricultural commodities) established and maintained for the purpose of enabling farmers to sell (either individually or through a farmers' organization directly representing the farmers who produced the commodities being sold) their agricultural commodities directly to individual consumers, or organizations representing consumers, in a manner calculated to lower the cost and increase the quality of food to such consumers while providing increased financial returns to the farmers.

(Pub. L. 94-463, §3, Oct. 8, 1976, 90 Stat. 1982.)

**§ 3003. Survey**

The Secretary shall provide, through the Economic Research Service of the United States Department of Agriculture, or whatever agency or agencies the Secretary considers appropriate, an annual survey of existing methods of direct marketing from farmers to consumers in each State.

(Pub. L. 94-463, §4, Oct. 8, 1976, 90 Stat. 1982; Pub. L. 107-171, title X, §10605(b)(1), May 13, 2002, 116 Stat. 513.)

## AMENDMENTS

2002—Pub. L. 107-171 substituted "an annual survey" for "a continuing survey" and struck out at end "The initial survey, which shall be completed no later than one year following October 8, 1976, shall include the number of types of such marketing methods in existence, the volume of business conducted through each such marketing method, and the impact of such marketing methods upon financial returns to farmers (including their impact upon improving the economic viability of small farmers) and food quality and costs to consumers."

**§ 3004. Direct marketing assistance within the States****(a) In general**

In order to promote the establishment and operation of direct marketing from farmers to consumers, the Secretary shall provide that funds appropriated to carry out this section be utilized by State departments of agriculture and

the Secretary for the purpose of conducting or facilitating activities which will initiate, encourage, develop, or coordinate methods of direct marketing from farmers to consumers within or among the States. Such funds shall be allocated to a State on the basis of the feasibility of direct marketing from farmers to consumers within that State as compared to other States and shall be allocated within a State to the State department of agriculture and to the Secretary on the basis of the types of activities which are needed in the State, as determined by the Secretary. The activities shall include, but shall not be limited to—

- (1) sponsoring conferences which are designed to facilitate the sharing of information (among farm producers, consumers, and other interested persons or groups) concerning the establishment and operation of direct marketing from farmers to consumers;
- (2) compiling laws and regulations relevant to the conduct of the various methods of such direct marketing within the State, formulating drafts of enabling legislation needed to facilitate such direct marketing, determining feasible locations for additional facilities for such direct marketing, and preparing and disseminating practical information on the establishment and operation of such direct marketing; and
- (3) providing technical assistance for the purpose of aiding interested individuals or groups in the establishment of arrangements for direct marketing from farmers to consumers.

**(b) Development of farmers' markets**

The Secretary shall—

- (1) work with the Governor of a State, and a State agency designated by the Governor, to develop programs to train managers of farmers' markets;
- (2) develop opportunities to share information among managers of farmers' markets;
- (3) establish a program to train cooperative extension service employees in the development of direct marketing techniques; and
- (4) work with producers to develop farmers' markets.

**(c) Consideration of consumer preferences**

In the implementation of this section, the Secretary shall take into account consumer preferences and needs which may bear upon the establishment and operation of arrangements for direct marketing from farmers to consumers.

(Pub. L. 94-463, § 5, Oct. 8, 1976, 90 Stat. 1982; Pub. L. 107-171, title X, § 10605(b)(2), May 13, 2002, 116 Stat. 513.)

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-171, § 10605(b)(2)(A), substituted “Secretary for the purpose” for “Extension Service of the United States Department of Agriculture for the purpose”, “Secretary on the basis” for “Extension Service on the basis”, and “, as determined by the Secretary” for “and on the basis of which of these two agencies, or combination thereof, can best perform these activities”.

Subsecs. (b), (c). Pub. L. 107-171, § 10605(b)(2)(B), (C), added subsec. (b) and redesignated former subsec. (b) as (c).

**§ 3005. Farmers' Market and Local Food Promotion Program**

**(a) Establishment**

The Secretary shall carry out a program, to be known as the “Farmers' Market and Local Food Promotion Program” (referred to in this section as the “Program”), to make grants to eligible entities for projects to establish, expand, and promote direct producer-to-consumer marketing and assist in the development of local food business enterprises.

**(b) Program purposes**

The purposes of the Program are to increase domestic consumption of and access to locally and regionally produced agricultural products, and to develop new market opportunities for farm and ranch operations serving local markets, by developing, improving, expanding, and providing outreach, training, and technical assistance to, or assisting in the development, improvement and expansion of—

- (1) domestic farmers' markets, roadside stands, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities; and
- (2) local and regional food business enterprises (including those that are not direct producer-to-consumer markets) that process, distribute, aggregate, or store locally or regionally produced food products.

**(c) Eligible entities**

An entity shall be eligible to receive a grant under the Program if the entity is—

- (1) an agricultural cooperative or other agricultural business entity or a producer network or association, including a community supported agriculture network or association;
- (2) a local government;
- (3) a nonprofit corporation;
- (4) a public benefit corporation;
- (5) an economic development corporation;
- (6) a regional farmers' market authority; or
- (7) such other entity as the Secretary may designate.

**(d) Criteria and guidelines**

The Secretary shall establish criteria and guidelines for the submission, evaluation, and funding of proposed projects under the Program.

**(e) Priorities**

In providing grants under the Program, priority shall be given to applications that include projects that benefit underserved communities, including communities that—

- (1) are located in areas of concentrated poverty with limited access to fresh locally or regionally grown foods; and
- (2) have not received benefits from the Program in the recent past.

**(f) Funds requirements for eligible entities**

**(1) Matching funds**

An entity receiving a grant under this section for a project to carry out a purpose described in subsection (b)(2) shall provide matching funds in the form of cash or an in-kind contribution in an amount equal to 25 percent of the total cost of the project.

**(2) Limitation on use of funds**

An eligible entity may not use a grant or other assistance provided under this section for the purchase, construction, or rehabilitation of a building or structure.

**(g) Funding****(1) Mandatory funding**

Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

- (A) \$3,000,000 for fiscal year 2008;
- (B) \$5,000,000 for each of fiscal years 2009 through 2010;
- (C) \$10,000,000 for each of fiscal years 2011 and 2012; and
- (D) \$30,000,000 for each of fiscal years 2014 through 2018.

**(2) Fiscal year 2013**

There is authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 2013.

**(3) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2014 through 2018.

**(4) Use of funds**

Of the funds made available to carry out this section for a fiscal year—

- (A) 50 percent of the funds shall be used for the purposes described in subsection (b)(1); and
- (B) 50 percent of the funds shall be used for the purposes described in subsection (b)(2).

**(5) Limitation on administrative expenses**

Not more than 4 percent of the total amount made available to carry out this section for a fiscal year may be used for administrative expenses.

**(6) Interdepartmental coordination**

In carrying out this subsection, the Secretary shall ensure coordination between the various agencies to the maximum extent practicable.

(Pub. L. 94-463, § 6, as added Pub. L. 107-171, title X, § 10605(a), May 13, 2002, 116 Stat. 513; amended Pub. L. 110-234, title X, § 10106, May 22, 2008, 122 Stat. 1337; Pub. L. 110-246, § 4(a), title X, § 10106, June 18, 2008, 122 Stat. 1664, 2098; Pub. L. 112-240, title VII, § 701(g)(1), Jan. 2, 2013, 126 Stat. 2366; Pub. L. 113-79, title X, § 10003, Feb. 7, 2014, 128 Stat. 940.)

## CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

## PRIOR PROVISIONS

A prior section 3005, Pub. L. 94-463, § 6, Oct. 8, 1976, 90 Stat. 1983; Pub. L. 103-437, § 4(a)(8), Nov. 2, 1994, 108 Stat. 4582, related to review of activities by Secretary and annual report to Congress, prior to repeal by Pub. L. 105-362, title I, § 101(d)(1), Nov. 10, 1998, 112 Stat. 3281.

## AMENDMENTS

2014—Pub. L. 113-79, § 10003(1), inserted “and Local Food” after “Farmers’ Market” in section catchline.

Subsec. (a). Pub. L. 113-79, § 10003(2), inserted “and Local Food” after “Farmers’ Market”, struck out “farmers’ markets and to promote” after “and promote”, and substituted “and assist in the development of local food business enterprises.” for period at end.

Subsec. (b). Pub. L. 113-79, § 10003(3), added subsec. (b) and struck out former subsec. (b) which related to purposes of the Program and limitations on use of grants or other assistance provided under the Program.

Subsec. (c)(1). Pub. L. 113-79, § 10003(4), inserted “or other agricultural business entity” after “cooperative” and “, including a community supported agriculture network or association” after “association”.

Subsecs. (e), (f). Pub. L. 113-79, § 10003(6), added subsecs. (e) and (f). Former subsec. (e) redesignated (g).

Subsec. (g). Pub. L. 113-79, § 10003(5), redesignated subsec. (e) as (g).

Subsec. (g)(1). Pub. L. 113-79, § 10003(7)(A)(i), substituted “Mandatory funding” for “Fiscal years 2008 through 2012” in heading.

Subsec. (g)(1)(D). Pub. L. 113-79, § 10003(7)(A)(ii)–(iv), added subpar. (D).

Subsec. (g)(3) to (6). Pub. L. 113-79, § 10003(7)(B)–(D), added pars. (3) to (5), redesignated former par. (4) as (6), and struck out former pars. (3) and (5) which related to use of funds to support the use of electronic benefits transfers for Federal nutrition programs at farmers’ markets and limitation on such use of funds, respectively.

2013—Subsec. (e)(1). Pub. L. 112-240, § 701(g)(1)(A), substituted “Fiscal years 2008 through 2012” for “In general” in heading.

Subsec. (e)(2) to (5). Pub. L. 112-240, § 701(g)(1)(B)–(E), added par. (2), redesignated former pars. (2) to (4) as (3) to (5), respectively, and substituted “paragraph (1) or (2)” for “paragraph (1)” in par. (3) and “paragraph (3)” for “paragraph (2)” in introductory provisions of par. (5).

2008—Subsec. (a). Pub. L. 110-246, § 10106(1), inserted “and to promote direct producer-to-consumer marketing” before period at end.

Subsec. (b)(1)(A). Pub. L. 110-246, § 10106(2)(A), inserted “agri-tourism activities,” after “programs,”.

Subsec. (b)(1)(B). Pub. L. 110-246, § 10106(2)(B), inserted “agri-tourism activities,” after “programs,” and substituted “marketing opportunities” for “infrastructure”.

Subsec. (c)(1). Pub. L. 110-246, § 10106(3), inserted “or a producer network or association” after “cooperative”.

Subsec. (e). Pub. L. 110-246, § 10106(4), added subsec. (e) and struck out former subsec. (e). Prior to amendment, text read as follows: “There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2002 through 2007.”

## EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112-240 effective Sept. 30, 2012, see section 701(j) of Pub. L. 112-240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

## EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

**§ 3006. Authorization of appropriations**

(a) For purposes of carrying out section 3003 of this title, there are authorized to be appropriated such sums as are necessary.

(b) For purposes of carrying out the provisions of section 3004 of this title, there is authorized to be appropriated \$1,500,000 for each of the fiscal years ending September 30, 1977, and September 30, 1978.

(Pub. L. 94-463, § 7, Oct. 8, 1976, 90 Stat. 1983; Pub. L. 105-362, title I, § 101(d)(2), Nov. 10, 1998, 112 Stat. 3281.)

## AMENDMENTS

1998—Subsec. (a). Pub. L. 105-362 substituted “section 3003” for “the provisions of sections 3003 and 3005”.

### § 3007. Seniors farmers’ market nutrition program

#### (a) Funding

Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the seniors farmers’ market nutrition program \$20,600,000 for each of fiscal years 2008 through 2018.

#### (b) Program purposes

The purposes of the seniors farmers’ market nutrition program are—

(1) to provide resources in the form of fresh, nutritious, unprepared, locally grown fruits, vegetables, honey, and herbs from farmers’ markets, roadside stands, and community supported agriculture programs to low-income seniors;

(2) to increase the domestic consumption of agricultural commodities by expanding or aiding in the expansion of domestic farmers’ markets, roadside stands, and community supported agriculture programs; and

(3) to develop or aid in the development of new and additional farmers’ markets, roadside stands, and community supported agriculture programs.

#### (c) Exclusion of benefits in determining eligibility for other programs

The value of any benefit provided to any eligible seniors farmers’ market nutrition program recipient under this section shall not be considered to be income or resources for any purposes under any Federal, State, or local law.

#### (d) Prohibition on collection of sales tax

Each State shall ensure that no State or local tax is collected within the State on a purchase of food with a benefit distributed under the seniors farmers’ market nutrition program.

#### (e) Regulations

The Secretary may promulgate such regulations as the Secretary considers to be necessary to carry out the seniors farmers’ market nutrition program.

#### (f) Federal law not applicable

Section 1693o-2 of title 15 shall not apply to electronic benefit transfer systems established under this section.

(Pub. L. 107-171, title IV, § 4402, May 13, 2002, 116 Stat. 334; Pub. L. 110-234, title IV, §§ 4231, 4406(c)(1), May 22, 2008, 122 Stat. 1124, 1142; Pub. L. 110-246, § 4(a), title IV, §§ 4231, 4406(c)(1), June 18, 2008, 122 Stat. 1664, 1886, 1903; Pub. L. 111-203, title X, § 1075(c), July 21, 2010, 124 Stat. 2074; Pub. L. 113-79, title IV, § 4203(a), Feb. 7, 2014, 128 Stat. 822.)

## CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

Section was enacted as part of the Food Stamp Reauthorization Act of 2002 and also as part of the Farm Se-

curity and Rural Investment Act of 2002, and not as part of the Farmer-to-Consumer Direct Marketing Act of 1976 which comprises this chapter.

## AMENDMENTS

2014—Subsec. (a). Pub. L. 113-79 substituted “2018” for “2012”.

2010—Subsec. (f). Pub. L. 111-203 added subsec. (f).

2008—Subsec. (a). Pub. L. 110-246, § 4406(c)(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “The Secretary of Agriculture shall use \$5,000,000 for fiscal year 2002, and \$15,000,000 for each of fiscal years 2003 through 2007, of the funds available to the Commodity Credit Corporation to carry out and expand a seniors farmers’ market nutrition program.”

Subsec. (b)(1). Pub. L. 110-246, § 4231(1), inserted “honey,” after “vegetables.”

Subsec. (c). Pub. L. 110-246, § 4231(2), added subsec. (c) and struck out former subsec. (c). Prior to amendment, text read as follows: “The Secretary may issue such regulations as the Secretary considers necessary to carry out the seniors farmers’ market nutrition program.”

Subsecs. (d), (e). Pub. L. 110-246, § 4231(3), added subsecs. (d) and (e).

## EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-79, title IV, § 4203(b), Feb. 7, 2014, 128 Stat. 822, provided that: “The amendment made by subsection (a) [amending this section] takes effect on October 1, 2013.”

## EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111-203 effective 1 day after July 21, 2010, except as otherwise provided, see section 4 of Pub. L. 111-203, set out as an Effective Date note under section 5301 of Title 12, Banks and Banking.

## EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

Amendment by sections 4231 and 4406(c)(1) of Pub. L. 110-246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110-246, set out as a note under section 1161 of Title 2, The Congress.

## EFFECTIVE DATE

Section effective Oct. 1, 2002, except as otherwise provided, see section 4405 of Pub. L. 107-171, set out as a note under section 1161 of Title 2, The Congress.

## CHAPTER 64—AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING

### SUBCHAPTER I—FINDINGS, PURPOSES, AND DEFINITIONS

Sec.	
3101.	Purposes of agricultural research, extension, and education.
3102.	Additional purposes of agricultural research and extension.
3103.	Definitions.

### SUBCHAPTER II—COORDINATION AND PLANNING OF AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING

3121.	Responsibilities of Secretary and Department of Agriculture.
3122.	Repealed.
3123.	National Agricultural Research, Extension, Education, and Economics Advisory Board.
3123a.	Specialty crop committee.
3123b.	Renewable energy committee.