

## Agricultural Marketing Service, USDA

## § 1260.130

sale of cattle or beef is a sales commission, handling fee, or other service fee; or (b) the person (1) acquired ownership of cattle to facilitate the transfer of ownership of such cattle from the seller to a third party, (2) resold such cattle no later than ten (10) days from the date on which the person acquired ownership, and (3) certified, as required by regulations prescribed by the Board and approved by the Secretary, that the requirements of this provision have been satisfied.

### § 1260.117 Importer.

*Importer* means any person who imports cattle, beef, or beef products from outside the United States.

### § 1260.118 Cattle.

*Cattle* means live domesticated bovine animals regardless of age.

### § 1260.119 Beef.

*Beef* means flesh of cattle.

### § 1260.120 Beef products.

*Beef products* means edible products produced in whole or in part from beef, exclusive of milk and products made therefrom.

### § 1260.121 Imported beef or beef products.

*Imported beef or beef products* means products which are imported into the United States which the Secretary determines contain a substantial amount of beef including those products which have been assigned one or more of the following numbers in the Tariff Schedule of the United States: 106.1020, 106.1040, 106.1060, 106.1080, 107.2000, 107.2520, 107.4000, 107.4500, 107.4820, 107.4840, 107.5220, 107.5240, 107.5500, 107.6100, 107.6200, 107.6300.

### § 1260.122 Promotion.

*Promotion* means any action, including paid advertising, to advance the image and desirability of beef and beef products with the express intent of improving the competitive position and stimulating sales of beef and beef products in the marketplace.

### § 1260.123 Research.

*Research* means studies relative to the effectiveness of market development and promotion efforts, studies relating to the nutritional value of beef and beef products, other related food science research, and new product development.

### § 1260.124 Consumer information.

*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.

### § 1260.125 Industry information.

*Industry information* means information and programs that will lead to the development of new markets, marketing strategies, increased efficiency, and activities to enhance the image of the cattle industry.

### § 1260.126 Plans and projects.

*Plans and projects* means promotion, research, consumer information and industry information plans, studies or projects conducted pursuant to this subpart.

### § 1260.127 Marketing.

*Marketing* means the sale or other disposition in commerce of cattle, beef or beef products.

### § 1260.128 Act.

*Act* means the Beef Promotion and Research Act of 1985, Title XVI, Subtitle A of the Food Security Act of 1985, Pub. L. 99-198 and any amendments thereto.

### § 1260.129 Customs Service.

*Customs Service* means the United States Customs Service of the United States Department of the Treasury.

### § 1260.130 Part and subpart.

*Part* means the Beef Promotion and Research Order and all rules and regulations issued pursuant to the Act and the order, and the order itself shall be a "subpart" of such Part.

§ 1260.141

7 CFR Ch. XI (1-1-01Edition)

CATTLEMEN'S BEEF PROMOTION AND RESEARCH BOARD

CATTLE AND CALVES<sup>1</sup>—Continued

§ 1260.141 Membership of Board.

(a) Beginning with the 1999 Board nominations and the associated appointments effective early in the year 2000, the United States shall be divided into 40 geographical units and one unit representing importers, and the number of Board members from each unit shall be as follows:

| CATTLE AND CALVES <sup>1</sup> |              |           |
|--------------------------------|--------------|-----------|
| State/unit                     | (1,000 head) | Directors |
| 1. Alabama                     | 1,627        | 2         |
| 2. Arizona                     | 810          | 1         |
| 3. Arkansas                    | 1,870        | 2         |
| 4. California                  | 4,600        | 5         |
| 5. Colorado                    | 3,117        | 3         |
| 6. Florida                     | 1,937        | 2         |
| 7. Georgia                     | 1,497        | 1         |
| 8. Idaho                       | 1,763        | 2         |
| 9. Illinois                    | 1,720        | 2         |
| 10. Indiana                    | 1,103        | 1         |
| 11. Iowa                       | 3,867        | 4         |
| 12. Kansas                     | 6,550        | 7         |
| 13. Kentucky                   | 2,550        | 3         |
| 14. Louisiana                  | 1,010        | 1         |
| 15. Michigan                   | 1,133        | 1         |
| 16. Minnesota                  | 2,767        | 3         |
| 17. Mississippi                | 1,3431       | 1         |
| 18. Missouri                   | 4,450        | 4         |
| 19. Montana                    | 2,683        | 3         |
| 20. Nebraska                   | 6,517        | 7         |
| 21. Nevada                     | 510          | 1         |
| 22. New Mexico                 | 1,480        | 1         |
| 23. New York                   | 1,527        | 2         |
| 24. North Carolina             | 1,160        | 1         |
| 25. North Dakota               | 1,857        | 2         |
| 26. Ohio                       | 1,483        | 1         |
| 27. Oklahoma                   | 5,467        | 5         |
| 28. Oregon                     | 1,440        | 1         |
| 29. Pennsylvania               | 1,770        | 2         |
| 30. South Carolina             | 517          | 1         |
| 31. South Dakota               | 3,733        | 4         |
| 32. Tennessee                  | 2,460        | 2         |
| 33. Texas                      | 14,467       | 1         |
| 34. Utah                       | 903          | 1         |
| 35. Virginia                   | 1,797        | 2         |
| 36. Wisconsin                  | 3,700        | 4         |
| 37. Wyoming                    | 1,477        | 1         |
| 38. Northwest                  | .....        | 1         |
| Alaska                         | 11           | .....     |
| Hawaii                         | 167          | .....     |
| Washington                     | 1,230        | .....     |
| Total                          | 1,408        | .....     |
| 39. Northeast                  | .....        | 1         |
| Connecticut                    | 70           | .....     |
| Delaware                       | 29           | .....     |
| Maine                          | 113          | .....     |
| Massachusetts                  | 63           | .....     |
| New Hampshire                  | 41           | .....     |
| New Jersey                     | 68           | .....     |
| Rhode Island                   | 7            | .....     |
| Vermont                        | 302          | .....     |
| Total                          | 693          | .....     |
| 40. Mid-Atlantic               | .....        | 1         |
| District of Columbia           | 0            | .....     |

| State/unit                | (1,000 head) | Directors |
|---------------------------|--------------|-----------|
| Maryland                  | 275          | .....     |
| West Virginia             | 447          | .....     |
| Total                     | 722          | .....     |
| 41. Importer <sup>2</sup> | 6,535        | 7         |

<sup>1</sup> 1996, 1997, and 1998 average of January 1 cattle inventory data.  
<sup>2</sup> 1995, 1996, and 1997 average of annual import data.

(b) The Board shall be composed of cattle producers and importers appointed by the Secretary from nominations submitted pursuant to the Act and regulations of this Part. A producer may only be nominated to represent the unit in which that producer is a resident.

(c) At least every three (3) years, and not more than every two (2) years, the Board shall review the geographic distribution of cattle inventories throughout the United States and the volume of imported cattle, beef, and beef products and, if warranted, shall reappointment units and/or modify the number of Board members from units in order to best reflect the geographic distribution of cattle production volume in the United States and the volume of imported cattle, beef, or beef products into the United States.

(d) The Board may recommend to the Secretary a modification in the number of cattle per unit necessary for representation on the Board.

(e) The following formula will be used to determine the number of Board members who shall serve on the Board for each unit:

(1) Each geographic unit or State that includes a total cattle inventory equal to or greater than five hundred thousand (500,000) head of cattle shall be entitled to one representative on the Board;

(2) States which do not have total cattle inventories equal to or greater than five hundred thousand (500,000) head of cattle shall be grouped, to the extent practicable, into geographically contiguous units each of which have a combined total inventory of not less than 500,000 head of cattle and such unit(s) shall be entitled to at least one representative on the Board;

(3) Importers shall be represented by a single unit, with the number of Board