

Subpart B—Rules and Regulations

DEFINITIONS

§ 1215.100 Terms defined.

Unless otherwise defined in this subpart, the definitions of terms used in this subpart shall have the same meaning as the definitions in Subpart A—Popcorn Promotion, Research, and Consumer Information Order of this part.

EXEMPTION PROCEDURES

§ 1215.300 Exemption procedures.

(a) Any processor who markets 4 million pounds or less of popcorn annually and who desires to claim an exemption from assessments during a fiscal year as provided in §1214.52 of this part shall apply to the Board, on a form provided by the Board, for a certificate of exemption. Such processor shall certify that the processor’s marketing of popcorn during the previous fiscal year was 4 million pounds or less.

(b) Upon receipt of an application, the Board shall determine whether an exemption may be granted. The Board then will issue, if deemed appropriate, a certificate of exemption to each person that is eligible to receive one.

(c) Any person who desires to renew the exemption from assessments for a subsequent fiscal year shall reapply to the Board, on a form provided by the Board, for a certificate of exemption.

(d) The Board may require persons receiving an exemption from assessments to provide to the Board reports on the disposition of exempt popcorn.

MISCELLANEOUS

§ 1215.400 OMB control numbers.

The control number assigned to the information collection requirements by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, is OMB control number 0581-0093, except for the Promotion Board nominee background statement form which is assigned OMB control number 0505-0001.

PART 1216—PEANUT PROMOTION, RESEARCH, AND INFORMATION ORDER

Subpart A—Peanut Promotion, Research, and Information Order

DEFINITIONS

- Sec.
- 1216.1 Act.
- 1216.2 Additional peanuts.
- 1216.3 Area marketing association.
- 1216.4 Board.
- 1216.5 Conflict of interest.
- 1216.6 Contract export additional peanuts.
- 1216.7 Department.
- 1216.8 Farm Service Agency.
- 1216.9 Farmers stock peanuts.
- 1216.10 First handler.
- 1216.11 Fiscal year.
- 1216.12 Handle.
- 1216.13 Information.
- 1216.14 Market.
- 1216.15 Minor peanut-producing states.
- 1216.16 Order.
- 1216.17 Part and subpart.
- 1216.18 Peanuts.
- 1216.19 Peanut producer organization.
- 1216.20 Person.
- 1216.21 Primary peanut-producing states.
- 1216.22 Producer.
- 1216.23 Promotion.
- 1216.24 Quota peanuts.
- 1216.25 Research.
- 1216.26 Secretary.
- 1216.27 Suspend.
- 1216.28 State.
- 1216.29 Terminate.
- 1216.30 United States.

NATIONAL PEANUT BOARD

- 1216.40 Establishment and membership.
- 1216.41 Nominations.
- 1216.42 Selection.
- 1216.43 Term of office.
- 1216.44 Vacancies.
- 1216.45 Alternate members.
- 1216.46 Procedure.
- 1216.47 Compensation and reimbursement.
- 1216.48 Powers and duties.
- 1216.49 Prohibited activities.

EXPENSES AND ASSESSMENTS

- 1216.50 Budget and expenses.
- 1216.51 Assessments.
- 1216.52 Programs, plans, and projects.
- 1216.53 Independent evaluation.
- 1216.54 Operating reserve.
- 1216.55 Investment of funds.

REPORTS, BOOKS, AND RECORDS

- 1216.60 Reports.
- 1216.61 Books and records.
- 1216.62 Confidential treatment.

§ 1216.1

7 CFR Ch. XI (1–1–05 Edition)

CERTIFICATION OF PEANUT PRODUCER ORGANIZATIONS

1216.70 Certification.

MISCELLANEOUS

- 1216.80 Right of the Secretary.
- 1216.81 Implementation of the Order.
- 1216.82 Suspension and termination.
- 1216.83 Proceedings after termination.
- 1216.84 Effect of termination or amendment.
- 1216.85 Personal liability.
- 1216.86 Separability.
- 1216.87 Amendments.
- 1216.88 Patents, copyrights, trademarks, information, publications, and product formulations.

Subpart B—Procedure for the Conduct of Referenda in Connection With the Peanut Promotion, Research, and Information Order

- 1216.100 General.
- 1216.101 Definitions.
- 1216.102 Voting.
- 1216.103 Instructions.
- 1216.104 Subagents.
- 1216.105 Ballots.
- 1216.106 Referendum report.
- 1216.107 Confidential information.

AUTHORITY: 7 U.S.C. 7401–7425.

SOURCE: 64 FR 20105, Apr. 23, 1999, unless otherwise noted.

Subpart A—Peanut Promotion, Research, and Information Order

SOURCE: 64 FR 41256, July 29, 1999, unless otherwise noted.

DEFINITIONS

§ 1216.1 Act.

Act means the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7401–7425; Public Law 104–127, 110 Stat. 1029), or any amendments thereto.

§ 1216.2 Additional peanuts.

Additional peanuts means peanuts which are marketed from a farm other than peanuts marketed or considered marketed as quota peanuts.

§ 1216.3 Area marketing association.

Area marketing association means an association selected and approved by the Secretary to conduct activities under regulations of the Department's Farm Service Agency. Under an inter-

agency agreement, area marketing associations may assist in the collection of assessments under this subpart. The approved area marketing associations and the areas served by such associations are as follows:

(a) *GFA Peanut Association of Camilla, Georgia (GFA)*. GFA serves the southeastern area consisting of Puerto Rico, the U.S. Virgin Islands, and the states of Alabama, Florida, Georgia, Mississippi, and that part of South Carolina south and west of the Santee-Congaree-Broad Rivers;

(b) *Peanut Growers Cooperative Marketing Association of Franklin, Virginia (PGCMA)*. PGCMA serves the Virginia-Carolina area consisting of the District of Columbia, and the states of Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and that part of South Carolina north and east of the Santee-Congaree-Broad Rivers; and

(c) *Southwestern Peanut Growers Association of Gorman, Texas (SWPGA)*. SWPGA serves the southwestern area consisting of the states of Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Kansas, Louisiana, Montana, Nebraska, New Mexico, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, and all other territories of the United States not listed in paragraph (a) or (b) of this section.

§ 1216.4 Board.

Board means the administrative body referred to as the National Peanut Board established pursuant to § 1216.40.

§ 1216.5 Conflict of interest.

Conflict of interest means a situation in which a member or employee of the Board has a direct or indirect financial interest in a person who performs a service for, or enters into a contract with, the Board for anything of economic value.