

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

Section 1 of Pub. L. 94-463 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, a continuing survey of existing methods of direct marketing from farmers to consumers in each State. 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.

(Pub. L. 94-463, §4, Oct. 8, 1976, 90 Stat. 1982.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3006 of this title.

§ 3004. Direct marketing assistance within the States; allocation of funds; activities to be included in direct marketing program; consideration of consumer preferences

(a) 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 Extension Service of the United States Department of Agriculture 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 Extension Service on the basis of the types of activities which are needed in the State and on the basis of which of these two agencies, or combination thereof, can best perform these activities. 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 and 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) 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.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3006 of this title.

§ 3005. Review of activities by Secretary; annual report to Congressional committees

The Secretary shall periodically review the activities carried out under this chapter and shall report to the Committee on Agriculture, United States House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry, United States Senate, within one year of October 8, 1976, and annually thereafter, with respect to the effectiveness of this chapter. The Secretary shall include in such report a State-by-State summary of the results of the survey conducted under this chapter, and a summary of the activities and accomplishments of the Extension Service and the State departments of agriculture in the development of direct marketing from farmers to consumers during the previous year.

(Pub. L. 94-463, §6, Oct. 8, 1976, 90 Stat. 1983; Pub. L. 103-437, §4(a)(8), Nov. 2, 1994, 108 Stat. 4582.)