

AMENDMENTS

1991—Subsec. (b)(2). Pub. L. 102-237 struck out “section” after “6008 or”.

§ 6011. Requirement of referendum**(a) In general**

Not later than 24 months after the effective date of the plan first issued under section 6003 of this title, the Secretary shall conduct a referendum among growers, grower-shellors, and importers, who during a representative period determined by the Secretary have been engaged in the production or importation of pecans, for the purpose of ascertaining whether growers, grower-shellors, and importers favor continuation, termination, or suspension of the plan.

(b) Other referenda**(1) In general**

After the referendum required under subsection (a) of this section, the Secretary shall hold a referendum on request of the Board or 10 percent or more of the total number of growers, grower-shellors, and importers, to determine if growers, grower-shellors, and importers favor the termination or suspension of the plan.

(2) Suspension or termination

The Secretary shall terminate or suspend such plan, in accordance with section 6012(b) of this title, whenever the Secretary determines that such suspension or termination is favored by a majority of those voting in a referendum.

(c) Costs of referendum

The Secretary shall be reimbursed from any assessments collected by the Board for any expenses incurred by the Department in connection with the conduct of any referendum under this chapter, except for the salaries of Government employees.

(d) Manner**(1) In general**

Referenda conducted pursuant to this chapter shall be conducted in such a manner as is determined by the Secretary.

(2) Advance registration

A grower, grower-sheller, or importer who chooses to vote in any referendum conducted under this chapter shall register in person prior to the voting period at the appropriate local office of the Agricultural Stabilization and Conservation Service, as determined by the Secretary, for such grower, grower-sheller, or by mailing such a request to the Secretary on behalf of an importer.

(3) Voting

A grower, grower-sheller, or importer who votes in any referendum conducted under this chapter shall vote in person at the appropriate local office of the Agricultural Stabilization and Conservation Service, as determined by the Secretary or by mail to the Secretary.

(4) Notice

Each Agricultural Stabilization and Conservation Service office shall notify all grow-

ers, grower-shellors, and importers in the area of such office, as determined by the Secretary, at least 30 days prior to a referendum conducted under this chapter. Such notice shall explain the registration and voting procedures established under this subsection.

(Pub. L. 101-624, title XIX, §1916, Nov. 28, 1990, 104 Stat. 3853.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6007 of this title.

§ 6012. Suspension or termination of plan**(a) Mandatory suspension or termination**

The Secretary shall, whenever the Secretary finds that the plan or any provision of the plan obstructs or does not tend to effectuate the declared policy of this chapter, terminate or suspend the operation of such plan or provision.

(b) Suspension or termination

If, as a result of any referendum conducted under this chapter, the Secretary determines that suspension or termination of a plan is favored by a majority of the growers, grower-shellors, and importers voting in the referendum, the Secretary shall—

(1) within 6 months after making such determination, suspend or terminate, as the case may be, collection of assessments under the plan; and

(2) suspend or terminate, as the case may be, activities under the plan in an orderly manner as soon as practicable.

(c) Limitation

The termination or suspension of any plan, or any provision thereof, shall not be considered a plan within the meaning of this chapter.

(Pub. L. 101-624, title XIX, §1917, Nov. 28, 1990, 104 Stat. 3854.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6011 of this title.

§ 6013. Authorization of appropriations**(a) In general**

There are authorized to be appropriated for each fiscal year such sums as are necessary to carry out this chapter.

(b) Administrative expenses

Funds appropriated to carry out this chapter shall not be available for payment of the expenses or expenditures of the Board in administering any provision of any plan issued under this chapter.

(Pub. L. 101-624, title XIX, §1918, Nov. 28, 1990, 104 Stat. 3854.)

CHAPTER 90—MUSHROOM PROMOTION, RESEARCH, AND CONSUMER INFORMATION

Sec.

6101. Findings and declaration of policy.

(a) Findings.

(b) Policy.

(c) Construction.

6102. Definitions.

6103. Issuance of orders.

(a) In general.