

(Pub. L. 103-407, § 3, Oct. 22, 1994, 108 Stat. 4211.)

#### TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

### § 7103. Issuance and amendment of orders

#### (a) In general

Subject to subsection (b) of this section, the Secretary shall issue orders under this chapter applicable to producers, feeders, importers, handlers, and purchasers of sheep and sheep products. Any order shall be in effect under this chapter at any 1 time.

#### (b) Procedure

##### (1) Proposal or request for issuance

The Secretary may propose the issuance of an order under this chapter, or an association of producers may request the issuance of, and submit a proposal for, an order.

##### (2) Notice and comment concerning proposed order

Not later than 60 days after the receipt of a request and proposal for an order under paragraph (1), the Secretary shall publish a proposed order and give due notice and opportunity for public comment on the proposed order.

##### (3) Issuance of orders

After notice and opportunity for public comment are given as provided in paragraph (2), the Secretary shall issue an order, taking into consideration the comments received, that includes provisions necessary to ensure that the order is in conformity with this chapter. The order shall be issued not later than 180 days following publication of the proposed order.

##### (4) Referendum

The order shall go into effect only if the order is approved by producers, feeders, and importers in a referendum conducted under section 7105 of this title.

#### (c) Amendments

The Secretary, from time to time, may amend any order issued under this chapter.

(Pub. L. 103-407, § 4, Oct. 22, 1994, 108 Stat. 4213.)

### § 7104. Required terms in orders

#### (a) In general

An order issued under this chapter shall contain the terms and conditions specified in this section.

#### (b) Establishment and membership of Board

##### (1) In general

The order shall provide for the establishment of, and appointment of members to, a National Sheep Promotion, Research, and In-

formation Board to administer the order. Members of the Board shall be appointed by the Secretary from nominations provided in accordance with this subsection. The cumulative number of seats on the Board shall be 120 and shall be apportioned as follows:

#### (A) Producers

Producers shall be appointed to the Board to represent States, with each State represented by the following number of members:

|                      |    |
|----------------------|----|
| Alabama .....        | 1  |
| Alaska .....         | 1  |
| Arizona .....        | 1  |
| Arkansas .....       | 1  |
| California .....     | 5  |
| Colorado .....       | 4  |
| Connecticut .....    | 1  |
| Delaware .....       | 1  |
| Florida .....        | 1  |
| Georgia .....        | 1  |
| Hawaii .....         | 1  |
| Idaho .....          | 2  |
| Illinois .....       | 1  |
| Indiana .....        | 1  |
| Iowa .....           | 2  |
| Kansas .....         | 1  |
| Kentucky .....       | 1  |
| Louisiana .....      | 1  |
| Maine .....          | 1  |
| Maryland .....       | 1  |
| Massachusetts .....  | 1  |
| Michigan .....       | 1  |
| Minnesota .....      | 2  |
| Mississippi .....    | 1  |
| Missouri .....       | 1  |
| Montana .....        | 5  |
| Nebraska .....       | 1  |
| Nevada .....         | 1  |
| New Hampshire .....  | 1  |
| New Jersey .....     | 1  |
| New Mexico .....     | 2  |
| New York .....       | 1  |
| North Carolina ..... | 1  |
| North Dakota .....   | 2  |
| Ohio .....           | 1  |
| Oklahoma .....       | 1  |
| Oregon .....         | 2  |
| Pennsylvania .....   | 1  |
| Rhode Island .....   | 1  |
| South Carolina ..... | 1  |
| South Dakota .....   | 4  |
| Tennessee .....      | 1  |
| Texas .....          | 10 |
| Utah .....           | 3  |
| Vermont .....        | 1  |
| Virginia .....       | 1  |
| Washington .....     | 1  |
| West Virginia .....  | 1  |
| Wisconsin .....      | 1  |
| Wyoming .....        | 5  |

#### (B) Feeders

The feeder sheep industry shall be represented on the Board by 10 members.

#### (C) Importers

Importers shall be represented on the Board by 25 members.