

# Table Egg Marketing Act

A bill has been introduced in the U.S. Senate for enabling legislation to provide the basis for establishing marketing orders for table eggs. The bill is known as the "Table Egg Marketing Act", according to Poultry Marketing Information. If passed it would be applicable only to baby chicks, started pullets, laying hens and table eggs or products thereof.

The Agricultural Act of 1961 made marketing agreements and order programs possible for certain farm commodities. Turkeys and turkey hatching eggs were made eligible. All other poultry and eggs were specifically excluded from that Act. A referendum for producers to vote on a proposed turkey marketing order was held in 1962. The proposal was defeated and the turkey industry to date has not revised it or initiated another order.

If the current Table Egg Marketing Act is enacted, the necessary steps before any order would become effective are: (1) drafting of a specific marketing order program including approval by the Secretary of Agriculture after conducting hearings, and (2) submitting the order to a referendum of producers. The order would have to be approved by producers voting in a referendum, under conditions described in the enabling legislation, before an order could become effective.

Provisions in the bill for establishing marketing orders cover both required and permissive terms to be included in an order.

**REQUIRED TERMS IN THE ORDER.** One requirement is the establishment of a National Egg Board to include two producer members from each egg producing district outlined in the order. Six is the maximum number of districts allowed. Tenure of board members is outlined. Powers and duties of the National Egg Board are also defined. These include such items as administering order, making rules and regulations; receiving, investigating, and reporting to the Secretary of Agriculture com-

plaints of violations of the order; formulating and recommending amendments to the order; and compiling and analyzing information necessary for the Board to perform its functions.

**PERMISSIVE TERMS OF THE ORDER.** The enabling legislation, as introduced in the Senate, states that one or more of the permissive terms stated in the Act shall be included in the order. Some of the permissive provisions provide for the following:

(1) Determining total quotas of baby chicks, started pullets, or laying hens which all producers of table eggs may acquire in a designated period or periods and method of allocating quotas proportionately among producers.

(2) Method of allotting quantity of table eggs each handler may purchase from or handle for any or all producers.

(3) Control and regulation of sale and transfer of allotments

(4) Licensing of persons who are a) producers of table eggs; b) handlers of baby chicks, started pullets and laying hens; and c) those who handle eggs.

(5) Assessing and collecting fees and keeping designated books and records.

(6) Establishing research and development, and programs designed to improve marketing.

(7) Exempting a minimum size production unit which is not essential to the policy of the Act.

(8) Financing a market diversion program by an assessment fund.

In addition to the required and permissive terms, the enabling legislation sets forth requirements for referendum, eligibility to vote in referendum, and producers' approval of proposed orders. The legislation also includes enforcement procedures, provisions, and conditions under which orders can be terminated.

It is important that a distinc-

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tion be made between enabling legislation and marketing orders. Enabling legislation permits the establishment of orders under the provisions set forth in the Act. A Marketing Order program for eggs cannot be initiated without enabling legislation. Thus at present one cannot say what a marketing order would necessarily include or even if one will be initiated. All that is definite is that a marketing order could not be established if enabling legislation is not enacted. If enabling legislation is enacted, it would be up to the industry to initiate development of a marketing order, if it so desires.

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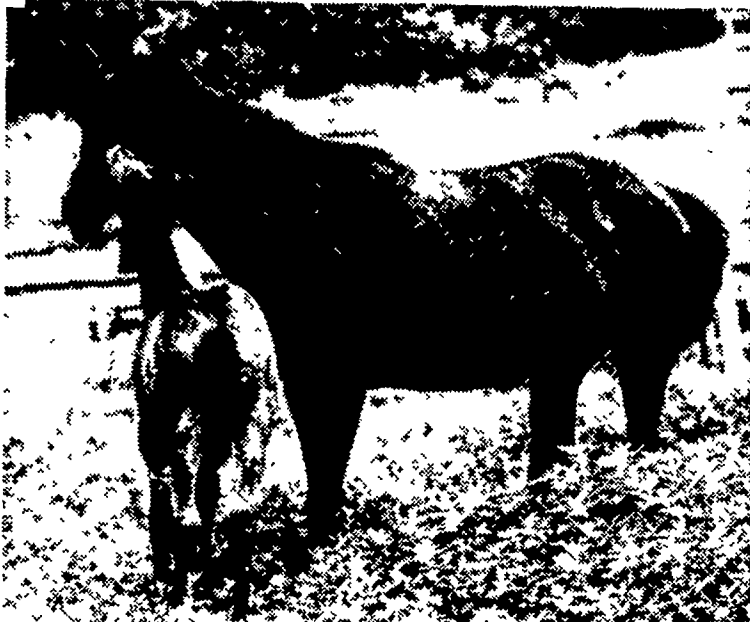


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