

U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250

<b>DEPARTMENTAL REGULATION</b>		Number: 1042-101
SUBJECT <b>REESTABLISHMENT OF THE BURLEY TOBACCO ADVISORY COMMITTEE</b>	DATE: April 15, 2003	
	OPI: <b>Agricultural Marketing Service</b>	

1 PURPOSE

- a This regulation reestablishes the Burley Tobacco Advisory Committee. The Secretary of Agriculture has the responsibility for providing mandatory tobacco inspection services at designated auction markets under the Tobacco Inspection Act, 7 U.S.C. 511-511q, and non-auction burley tobacco under the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for 2002 (Appropriations Act). Without said inspection services, no tobacco may be sold.
  
- b In order for the Secretary to provide inspection services under the Tobacco Inspection Act and the Appropriations Act, in a manner equitable to all producers and to promote an orderly marketing system, there is a need to obtain information from representatives of all segments of the burley tobacco industry. The objective of the Burley Tobacco Advisory Committee is to provide advice to the Secretary in making an equitable apportionment and assignment of tobacco inspectors by recommending annual opening dates and selling schedules within the burley tobacco marketing areas.

2 SPECIAL INSTRUCTIONS/CANCELLATION

- a This regulation shall terminate 2 years from date of filing.

- b Departmental Regulation 1042-101, dated June 19, 2000,  
is superseded by this regulation.

### 3 OFFICERS AND MEMBERSHIP

- a The Committee, to be appointed by the Secretary, will consist of 39 members, each of whom shall have an alternate. The Committee will be composed of 21 producer representatives, 10 receiving station/auction warehouse representatives, and 8 buyer representatives. Members may not serve more than three 2-year terms.
- b Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.
- c The Committee shall elect from among its members a Chairperson, First and Second Vice-Chairperson, and a Secretary.
- d No Vice-Chairperson shall be elected who is a representative of the same segment of the industry as the Chairperson or other Vice-Chairperson.
- e The officers shall be elected by majority vote of those members

present to serve for 2 years or until their successors are elected.

- f Pursuant to sections 10(e) and (f) of the Federal Advisory Committee Act, the Deputy Administrator or a delegated representative of the Tobacco Programs, AMS, shall represent USDA at each

meeting and shall have the authority to adjourn meetings whenever he/she considers adjournment to be in the public interest.

#### 4 DUTIES

- a Select such officers from its members and establish such bylaws as it deems necessary.
- b Make recommendations to the Secretary with regard to the placement of tobacco inspectors and the scheduling of inspection services at burley tobacco marketing areas and such other matters as it may deem advisable or which the Secretary, Under Secretary for Marketing and Regulatory Programs, AMS Administrator, or AMS Tobacco Programs' Deputy Administrator, may request.
- c Accept from any tobacco producer, trade or business organization or Government agency such information pertinent to the efficient placement of inspectors and inspection scheduling as may be offered or requested, and to consider the same in making recommendations.

#### 5 ESTIMATED ANNUAL OPERATING COSTS

- a Members shall serve without pay, but with

reimbursement of travel expenses and per diem for attendance at Committee meetings.

- b Annual operating costs are estimated at \$47,000.
- c All funds utilized in support of the Committee are derived from user fees.

## 6 NUMBER AND FREQUENCY OF MEETINGS

The Committee will meet an estimated two times each year in preparation for and throughout the burley tobacco marketing season. All meetings shall be open to the public.

## 7 REPORTING/SUPPORT

- a The Committee reports to the Secretary of Agriculture through the Under Secretary for Marketing and Regulatory Programs.
- b Support for the Committee will be provided by AMS, Tobacco Programs. Federal staff support is estimated at 0.5 staff years.

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