

History of the Watermelon Research and Promotion Act

The Watermelon Research and Promotion Plan (Plan) is authorized by the Watermelon Research and Promotion Act of 1985 (Act) [7 U.S.C. 4901-4916], as amended, which became effective on January 1, 1986. The Plan became effective in 1990 after a public hearing, notice and comment rulemaking, and a referendum. Initially, the Plan covered producers of 5 acres or more of watermelons and first handlers of watermelons and allowed persons to request a refund of their assessments under the Plan. The assessment rate is 3 cents per hundredweight of watermelons paid by both handlers and producers for a total of 6 cents per hundredweight. The program is administered by the National Watermelon Promotion Board under AMS supervision.

The Act was amended in 1993, to among other things, increase the exemption level for producers, eliminate refunds, authorize the assessment of imported watermelons, and add importer members to the Board. Watermelon producers, handlers, and importers approved these amendments in a national referendum conducted in late 1994. The program was amended accordingly in early 1995. Currently, producers of fewer than 10 acres of watermelons and importers of less than 150,000 pounds of watermelons per year are exempt from paying assessments. First handlers remit the producer and handler assessments to the Board, and import assessments are collected by the U.S. Customs Service (Customs), which remits the funds to the Board.

The Board recommended that the plan be amended again. Under the proposed amendment, all handlers - not just first handlers - of watermelons would be required to pay assessments under the Plan. The additional handlers would include brokers, wholesalers, and fresh-cut processors. A proposed rule on this amendment was published in the Federal Register on April 30, 2001. After obtaining public comments on the proposal, AMS conducted a referendum December 3, 2001 through January 11, 2002, to determine if watermelon producers, handlers and importers approve the amendment. The amendment was not approved.

This of USDA amendatory actions below covers amendments from 2005 through 2018.

58 FR 3355, Jan. 8, 1993
59 FR 18948, Apr. 21, 1994
60 FR 10797, Feb. 28, 1995
60 FR 13515, Mar. 13, 1995
66 FR 56388, Nov. 7, 2001
67 FR 17907, Apr. 12, 2002
70 FR 2756, Jan. 14, 2005
72 FR 41428, July 30, 2007
72 FR 61051, Oct. 29, 2007
76 FR 42012, July 18, 2011
79 FR 17852, Mar. 31, 2014
80 FR 82026, Dec. 31, 2015
83 FR 4420, Jan. 31, 2018