

# CRS Report for Congress

Received through the CRS Web

## **“Agricultural Commodity,” “Agricultural Product,” “Farm Product” and Related Terms: Definitions for Federal Policy**

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### **Summary**

No consistent official definitions exist of “agricultural commodity” or of other closely related terms, such as “agricultural product,” “farm product,” and others. The table in this report, which will not be updated, provides a broad, but not necessarily complete, listing of these terms as they are defined throughout the agriculture and conservation titles of the U.S. Code (Titles 7 and 16, respectively).

When considering legislation affecting the agricultural sector and related industries, policymakers may be asked to define what they mean by “agricultural commodity” or some closely related term. Such a definition may help to determine the reach of a program or policy – for example, the types of farmers and producers eligible for a particular subsidy; who must abide by a restrictive regulation and who is exempt; the total cost of a policy to the industry and/or taxpayers.

No consistent official definitions exist of “agricultural commodity” or of other closely related terms, such as “agricultural product,” “farm product,” “basic commodities,” “nonbasic commodities,” “perishable commodities,” and “livestock.” Such terms do appear, and carry with them varying definitions, in at least 20 different places throughout the agriculture and conservation titles of the U.S. Code (Titles 7 and 16, respectively). The following table provides a broad, but not necessarily complete, listing of these terms where they are defined throughout these titles.

In each case, the term is intended to have a specialized or unique meaning, most often either to exclude or to include particular items or producers from eligibility or coverage under a program or activity. A term might be relatively general and/or expansive, as in the law authorizing foreign food aid under P.L. 480, the Food for Peace program (7 U.S.C. Section 1732; see table, below). Or, it may deliberately exclude certain products, as under the Agricultural Fair Practices Act of 1967 (7 U.S.C. Section 2302; see table).

**Table 1. Definitions in U.S. Code**

Cite	Subject/Program	Language
7 U.S.C. §138 (Chapter 6A)	National Laboratory Accreditation (for pesticide testing)	“ <i>Agricultural product</i> means any fresh fruit or vegetable or any commodity product derived from livestock or fowl, that is marketed in the United States for human consumption.”
7 U.S.C. §241 (Chapter 10)	Warehouses (agricultural storage facility regulation)	“ <i>Agricultural product</i> means an agricultural commodity, as determined by the Secretary, including a processed product of an agricultural commodity.”
7 U.S.C. §433 (Chapter 17)	Miscellaneous matters (fur-bearing animals)	Federal laws and administrative actions “pertaining to fox, rabbit, mink, chinchilla, marten, fisher, muskrat, karakul and all other fur-bearing animals, raised in captivity for breeding and other useful purposes shall be deemed domestic animals [and] such animals and the products thereof shall be deemed <i>agricultural products</i> .”
7 U.S.C. §451 (Chapter 18)	Cooperative marketing (USDA services/support for)	“ <i>Agricultural products</i> means agricultural, horticultural, viticultural, and dairy products, livestock and the products thereof, the products of poultry and bee raising, the edible products of forestry, and any and all products raised or produced on farms and processed or manufactured producers thereof, transported or intended to be transported in interstate and/or foreign commerce.”
7 U.S.C. §499a (Chapter 20A)	Perishable Agricultural Commodities (Act)	“ <i>Perishable agricultural commodity</i> (A) Means any of the following, whether or not frozen or packed in ice: Fresh fruits and fresh vegetables of every kind and character; and (B) includes cherries in brine as defined by the Secretary in accordance with trade usages.”
7 U.S.C. §608c (Chapter 26)	Agricultural adjustment (marketing orders)	This section limits the <i>agricultural commodities</i> for which orders can be issued, by specifying by name, those that can and cannot be covered.
7 U.S.C. §1282a (Chapter 35)	Agricultural Adjustment Act of 1938 (adjusting price controls to ensure adequate supplies)	“ <i>Agricultural products</i> shall include meat, poultry, vegetables, fruits, and all other agricultural commodities in raw or processed form, except forestry products or fish or fishery products.
7 U.S.C. §1428 (Chapter 35A)	Price support of agricultural commodities (general provisions)	This section of code sets out the terms of mandatory price support for a <i>basic agricultural commodity</i> , meaning corn, cotton, peanuts, rice, tobacco, and wheat, distinguishing them from a <i>nonbasic agricultural commodity</i> , meaning any agricultural commodity other than a basic agricultural commodity.

Cite	Subject/Program	Language
7 U.S.C. §1431 (Chapter 35A)	Price support of agricultural commodities (USDA disposition of surplus commodities to prevent waste)	<i>Eligible commodities</i> are defined to include “dairy products, wheat, rice, feed grains, and oilseeds acquired by the Commodity Credit Corporation [CCC] through price support operations, and the products thereof, that the Secretary determines meet the criteria specified” in this section of the law and “such other edible <i>agricultural commodities</i> as may be acquired by the CCC in the normal course of operations...”
7 U.S.C. §1471 (Chapter 35A)	Price support of agricultural commodities (Emergency Livestock Feed Assistance Act of 1988)	“ <i>Livestock</i> means cattle, sheep, goats, swine, poultry (including egg-producing poultry), equine animals used for food or in the production of food, fish used for food, and other animals designated by the Secretary (at the Secretary’s sole discretion) that (A) are part of a foundation herd (including producing dairy cattle) or offspring; or (B) are purchased as part of a normal operation and not to obtain additional benefits...”
7 U.S.C. §1518 (Chapter 36)	Crop insurance	“ <i>Agricultural commodity</i> , as used in this chapter, means wheat, cotton, flax, corn, dry beans, oats, barley, rye, tobacco, rice, peanuts, soybeans, sugar beets, sugar cane, tomatoes, grain sorghum, sunflowers, raisins, oranges, sweet corn, dry peas, freezing and canning peas, forage, apples, grapes, potatoes, timber and forests, nursery crops, citrus, and other fruits and vegetables, nuts, tame hay, native grass, aquacultural species (including, but not limited to, any species of finfish, mollusk, crustacean, or other aquatic invertebrate, amphibian, reptile, or aquatic plant propagated or reared in a controlled or selected environment), or any other agricultural commodity, excluding stored grain, determined by the Board, or any one or more of such commodities, as the context may dictate.”
7 U.S.C. §1631 (Chapter 38)	Distribution and marketing of agricultural products (protection for purchasers of farm products)	“ <i>Farm product</i> means an agricultural commodity such as wheat, corn, soybeans, or a species of livestock such as cattle, hogs, sheep, horses, or poultry used or produced in farming operations, or a product of such crop or livestock in its unmanufactured state (such as ginned cotton, wool-clip, maple syrup, milk, and eggs) that is in the possession of a person engaged in farming operations.”
7 U.S.C. §1635a (Chapter 38)	Livestock mandatory reporting	“The term <i>livestock</i> means cattle, swine, and lambs.”
7 U.S.C. §1732 (Chapter 41)	Agricultural Trade Development and Assistance (P.L. 480)	“ <i>Agricultural commodity</i> , unless otherwise provided for in this chapter, includes any agricultural commodity or the products thereof produced in the United States, including wood and processed wood products, fish, and livestock, as well as value-added, fortified, or high-value agricultural products.”

Cite	Subject/Program	Language
7 U.S.C. §1769 (Chapter 43)	Foreign market development	“ <i>Agricultural commodity</i> as used in this chapter includes any agricultural commodity or product thereof..”
7 U.S.C. §2302 (Chapter 56)	Unfair trade practices affecting producers of agricultural products (Agricultural Fair Practices Act)	“ <i>Agricultural products</i> shall not include cotton or tobacco or their products.”
7 U.S.C. §5602 (Chapter 87)	Export promotion (Agricultural Trade Act of 1978)	“ <i>Agricultural commodity</i> means any agricultural commodity, food, feed, fiber, or livestock (including livestock as it is defined in section 1471(2) of this title and insects), and any product thereof.” (See above for §1471(2) definition.)
7 U.S.C. §6502 (Chapter 94)	Organic certification of agricultural products	“ <i>Agricultural product</i> means any agricultural commodity or product, whether raw or processed, including any commodity or product, whether raw or processed, including any commodity or product derived from livestock that is marketed in the United States for human or livestock consumption.” “ <i>Livestock</i> means any cattle, sheep, goats, swine, poultry, equine animals used for food or in the production of food, fish used for food, wild and domesticated game, or other nonplant life.”
7 U.S.C. §7333 (Chapter 100)	Agricultural market transition (noninsured crop assistance)	Noninsured crop disaster assistance must be offered, at an equivalent level, to eligible crops where catastrophic risk protection under the regular crop insurance program is not available. An “ <i>eligible crop</i> ” means each commercial crop produced for food and fiber and “shall include floricultural, ornamental nursery, and Christmas tree crops, turfgrass sod, seed crops, aquaculture (including ornamental fish), and industrial crops.”
7 U.S.C. §7412 (Chapter 101)	Agricultural promotion (check-off programs)	“ <i>Agricultural commodity</i> means (A) agricultural, horticultural, and dairy products; (B) livestock and the products of livestock; (C) the products of poultry and bee raising); (D) the products of forestry; (E) other commodities raised or produced on farms, as determined appropriate by the Secretary; and (F) products processed or manufactured from products specified in the preceding subparagraphs, as determined appropriate by the Secretary.”

Cite	Subject/Program	Language
7 U.S.C. §7996 (Chapter 106)	Equitable relief from ineligibility for loans, payments and other benefits under specified farm programs	“The term <i>agricultural commodity</i> means any agricultural commodity, food, feed, fiber, or livestock that is subject to a covered program.” (Covered programs are USDA price or income support, or production or market loss assistance, and conservation programs, but not farm credit or crop insurance.)
16 U.S.C. §590j (Chapter 3B)	Soil Conservation	“ <i>Agricultural commodity</i> as used in this chapter means any such commodity and any regional or market classification, type, or grade thereof.”
16 U.S.C. §3801 (Chapter 58)	Erodible Land and Wetland Conservation and Reserve Program	“ <i>Agricultural commodity</i> means (A) any agricultural commodity planted and produced in a State by annual tilling of the soil, including tilling by one-trip planters; or (B) sugarcane planted and produced in a State.
16 U.S.C. §3831 (Chapter 58)	Erodible Land and Wetland Conservation and Reserve Program	For conservation reserve program, “alfalfa and other multi-year grasses and legumes in a rotation practice, approved by the Secretary, shall be considered <i>agricultural commodities</i> .”