

113TH CONGRESS
2D SESSION

H. R. 5827

To exclude “Choose and Cut” Christmas tree producers from the Christmas tree promotion, research, and information order.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2014

Mr. McCAUL (for himself, Mr. JONES, and Mr. POE of Texas) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To exclude “Choose and Cut” Christmas tree producers from the Christmas tree promotion, research, and information order.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Christmas Tree Tax
5 Exclusion Act”.

1 **SEC. 2. EXCLUSION OF “CHOOSE AND CUT” CHRISTMAS**
2 **TREE PRODUCERS FROM THE CHRISTMAS**
3 **TREE PROMOTION, RESEARCH, AND INFOR-**
4 **MATION ORDER.**

5 (a) EXCLUSION.—The Christmas tree promotion, re-
6 search, and information order contained in part 1214 of
7 title 7, Code of Federal Regulations, and issued by the
8 Secretary of Agriculture pursuant to the Commodity Pro-
9 motion, Research, and Information Act of 1996 (7 U.S.C.
10 7411 et seq.) shall not apply to any Choose and Cut
11 Christmas tree producer with respect to Christmas trees
12 produced by the producer and sold directly to final con-
13 sumers.

14 (b) DEFINITIONS.—In this section:

15 (1) CHOOSE AND CUT CHRISTMAS TREE PRO-
16 DUCER.—The term “Choose and Cut Christmas tree
17 producer” means a producer who produces Christ-
18 mas trees in the United States, allows consumers to
19 select a Christmas tree for purchase before the
20 Christmas tree is severed or cut from its roots, and
21 sells that Christmas tree directly to the final con-
22 sumer.

23 (2) CHRISTMAS TREE.—The term “Christmas
24 tree” means any tree of the coniferous species, that
25 is severed or cut from its roots and marketed as a
26 Christmas tree for holiday use.

1 (3) PRODUCER.—The term “producer” means
2 any person who is engaged in the production of
3 Christmas trees in the United States, and who owns,
4 or shares the ownership and risk of loss of the pro-
5 duction of Christmas trees or a person who is en-
6 gaged in the business of producing, or causing to be
7 domestically produced, Christmas trees beyond per-
8 sonal use and having value at first point of sale.

○