
7 U.S. Code § 518d

Use of assessments as source of funds for payments

(a) Definitions

In this section:

(1) Base period

The term “base period” ^[1] means the one-year period ending the June 30 before the beginning of a fiscal year.

(2) Gross domestic volume

The term “gross domestic volume” means the volume of tobacco products—

- (A) removed (as defined by section 5702 of title 26); and
- (B) not exempt from tax under chapter 52 of title 26 at the time of their removal under that chapter or the Harmonized Tariff Schedule of the United States.

(3) Market share

The term “market share” means the share of each manufacturer or importer of a class of tobacco product (expressed as a decimal to the fourth place) of the total volume of domestic sales of the class of tobacco product during the base period for a fiscal year for an assessment under this section.

(b) Quarterly assessments

(1) Imposition of assessment

The Secretary, acting through the Commodity Credit Corporation, shall impose quarterly assessments during each of fiscal years 2005 through 2014, calculated in accordance with this section, on each tobacco product manufacturer and tobacco product importer that sells tobacco products in domestic commerce in the United States during that fiscal year.

(2) Amounts

Beginning with the calendar quarter ending on December 31 of each of fiscal years 2005 through 2014, the assessment payments over each four-calendar quarter period shall be sufficient to cover—

- (A) the contract payments made under sections 518a and 518b of this title during that period; and
- (B) other expenditures from the Tobacco Trust Fund made during the base quarter periods corresponding to the four calendar quarters of that period.

(3) Deposit

Assessments collected under this section shall be deposited in the Tobacco Trust Fund.

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