



Ohio Revised Code

Section 924.212 Pork marketing program.

Effective: September 30, 2025

Legislation: House Bill 96 - 136th General Assembly

(A) As used in this section:

- (1) "Pork" means the flesh of a porcine animal.
- (2) "Pork product" means a product produced or processed in whole or in part from pork.
- (3) "Producer" means a person who raises porcine animals in this state for sale in commerce.

(B) The pork marketing program is established to promote the sale of pork and pork products. However, the pork marketing program shall not operate unless the national pork checkoff program created by the "Pork Promotion, Research, and Consumer Information Act of 1985," 7 U.S.C. 4801 et seq. is no longer in operation. Except as provided in this division and divisions (C) to (F) of this section, the procedures, requirements, and other provisions that are established under sections 924.20 to 924.30 of the Revised Code and rules that apply to the grain marketing program apply to the pork marketing program. For purposes of that application, references in those sections to "grain" are deemed to be replaced with references to "pork."

(C) Not later than one hundred twenty days after the national pork checkoff program is no longer in operation, the Ohio pork council, or its successor, shall do both of the following:

- (1) Accept the names of persons as nominees to serve on a pork marketing program operating committee. In accepting nominations and placing names on the ballot, the Ohio pork council, or its successor, shall follow the procedures established in rules.
- (2) Hold an election to determine the membership of the operating committee. In the election, eligible producers may cast votes in person or mail ballots to polling places designated by the director of agriculture. The Ohio pork council, or its successor, shall establish a three-day period during which eligible producers may vote in person during normal business hours at the designated



polling places. The director or another appropriate person shall send a ballot by ordinary first-class mail to an eligible producer who requests a ballot. An eligible producer shall make such a request by calling a toll-free telephone number designated by the director, by contacting one of the designated polling places, or by any additional method that the director may provide. A ballot returned by mail is not valid if it is postmarked later than the third day of the election period established by the Ohio pork council or its successor.

For the purposes of an election of members of the pork marketing program operating committee, the director shall cause a ballot request form to be published at least thirty days before the beginning of the election period in at least two appropriate periodicals designated by the director and shall make the form available for reproduction to any interested group or association.

(D) The pork marketing program operating committee consists of the following twelve members:

(1) The director of agriculture, who shall be an ex-officio, non-voting member, or the director's designee;

(2) The executive vice-president of the Ohio pork council or its successor;

(3) Four members appointed by the director of agriculture who are pork producers. When making such appointments, the director shall give consideration to Ohio pork producers who are representatives on the national pork board;

(4) Six members elected in accordance with section 924.22 of the Revised Code, except that the elections shall occur by district, with one member elected from each district. The districts are as follows:

(a) District one: Allen, Defiance, Fulton, Henry, Paulding, Putnam, Van Wert, and Williams counties;

(b) District two: Crawford, Erie, Hancock, Huron, Lucas, Marion, Ottawa, Richland, Sandusky, Seneca, Wood, and Wyandot counties;



(c) District three: Auglaize, Mercer, Hardin, Logan, and Shelby counties;

(d) District four: Ashland, Ashtabula, Carroll, Columbiana, Coshocton, Cuyahoga, Delaware, Geauga, Harrison, Holmes, Jefferson, Knox, Lake, Licking, Lorain, Mahoning, Medina, Morrow, Portage, Stark, Summit, Tuscarawas, Trumbull, Union, and Wayne counties;

(e) District five: Butler, Darke, Hamilton, Miami, Montgomery, and Preble counties;

(f) District six: Adams, Athens, Belmont, Brown, Champaign, Clark, Clermont, Clinton, Fairfield, Fayette, Franklin, Gallia, Greene, Guernsey, Highland, Hocking, Jackson, Lawrence, Madison, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Ross, Scioto, Vinton, Warren, and Washington counties.

Except for the director, or the director's designee, all members of the pork marketing program operating committee are voting members.

(E) Following the election of the initial members of the operating committee, all future elections for the pork marketing program shall occur in accordance with the pork marketing program's by-laws drafted and adopted by the pork marketing program operating committee. Such by-laws shall be adopted by the operating committee within one year after the creation of the pork marketing program.

(F)(1) With regard to the levying of assessments under section 924.26 of the Revised Code, the assessment on pork shall be the lesser of the following:

(a) Twenty-five one hundredths of one per cent of the market value of the porcine animal, pork, or pork product sold or imported;

(b) An amount established by the operating committee at the initial meeting of the operating committee through an initial order. The operating committee may increase the rate of an assessment after the initial order by not more than one-tenth of one per cent per year.

(3) If assessments are levied under the national pork checkoff program created by the "Pork



Promotion, Research, and Consumer Information Act of 1985," 7 U.S.C. 4801 et seq., no assessments shall be levied for purposes of the pork marketing program established under this section.

(4) The operating committee may determine if a refund of an assessment is permitted.