

1 out “allocation” and inserting in lieu thereof “alloca-
2 tion or qualified per-unit retain certificate”.

3 (2) Section 1388 is amended by adding at the end
4 thereof the following new subsections:

5 “(f) *PER-UNIT RETAIN ALLOCATION*.—For purposes
6 of this subchapter, the term ‘per-unit retain allocation’ means
7 any allocation, by an organization to which part I of this sub-
8 chapter applies, other than by payment in money or other
9 property (except per-unit retain certificates) to a patron with
10 respect to products marketed for him, the amount of which
11 is fixed without reference to the net earnings of the organiza-
12 tion pursuant to an agreement between the organization and
13 the patron.

14 “(g) *PER-UNIT RETAIN CERTIFICATE*.—For purposes
15 of this subchapter, the term ‘per-unit retain certificate’ means
16 any written notice which discloses to the recipient the stated
17 dollar amount of a per-unit retain allocation to him by the
18 organization.

19 “(h) *QUALIFIED PER-UNIT RETAIN CERTIFICATE*.—

20 “(1) *DEFINED*.—For purposes of this subchapter,
21 the term ‘qualified per-unit retain certificate’ means any
22 per-unit retain certificate which the distributee has agreed,
23 in the manner provided in paragraph (2), to take into
24 account at its stated dollar amount as provided in section
25 1385(a).