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SUBCHAPTER I—GENERAL PROVISIONS

§ 1421. Price support

(a) Source

The Secretary shall provide the price support authorized or required herein through the Commodity Credit Corporation and other means available to him.

(b) Authority of Secretary; factors considered

Except as otherwise provided in this Act, the amounts, terms, and conditions of price support operations and the extent to which such operations are carried out, shall be determined or approved by the Secretary. The following factors shall be taken into consideration in determining, in the case of any commodity for which price support is discretionary, whether a price-support operation shall be undertaken and the level of such support and, in the case of any commodity for which price support is mandatory, the level of support in excess of the minimum level prescribed for such commodity: (1) the supply of the commodity in relation to the demand therefor, (2) the price levels at which other commodities are being supported and, in

the case of feed grains, the feed values of such grains in relation to corn, (3) the availability of funds, (4) the perishability of the commodity, (5) the importance of the commodity to agriculture and the national economy, (6) the ability to dispose of stocks acquired through a price-support operation, (7) the need for offsetting temporary losses of export markets, (8) the ability and willingness of producers to keep supplies in line with demand and (9), in the case of upland cotton, changes in the cost of producing such cotton.

(c) Compliance by producer; program for diverted acres

Compliance by the producer with acreage allotments, production goals and marketing practices (including marketing quotas when authorized by law), prescribed by the Secretary, may be required as a condition of eligibility for price support. In administering any program for diverted acres the Secretary may make his regulations applicable on an appropriate geographical basis. Such regulations shall be administered (1) in semiarid or other areas where good husbandry requires maintenance of a prudent feed reserve in such manner as to permit, to the extent so required by good husbandry, the production of forage crops for storage and subsequent use either on the farm or in feeding operations of the farm operator, and (2) in areas declared to be disaster areas by the President under the Disaster Relief and Emergency Assistance Act [42 U.S.C. 5121 et seq.], in such manner as will most quickly restore the normal pattern of their agriculture.

(d) Time of determining levels

The level of price support for any commodity shall be determined upon the basis of its parity price as of the beginning of the marketing year or season in the case of any commodity marketed on a marketing year or season basis and as of January 1 in the case of any other commodity.

(e) Processors' assurances; payment if assurances inadequate

(1) Whenever any price support or surplus removal operation for any agricultural commodity is carried out through purchases from or loans or payments to processors, the Secretary shall, to the extent practicable, obtain from the processors such assurances as he deems adequate that the producers of the agricultural commodity involved have received or will receive maximum benefits from the price support or surplus removal operation.

(2)(A) If the assurances under paragraph (1) are not adequate to cause the producers of sugar beets and sugarcane, because of the bankruptcy or other insolvency of the processor, to receive maximum benefits from the price support program within 30 days after the final settlement date provided for in the contract between such producers and processor, the Secretary, on demand made by such producers and on such assurances as to nonpayment as the Secretary shall require, shall pay such producers such maximum benefits less benefits previously received by such producers.

(B) On such payment, the Secretary shall—

(i) be subrogated to all claims of such producers against the processor and other persons responsible for nonpayment; and

(ii) have authority to pursue such claims as necessary to recover the benefits not paid to the producers.

(C) The Secretary shall carry out this paragraph through the Commodity Credit Corporation.

(Oct. 31, 1949, ch. 792, title IV, § 401, 63 Stat. 1054; Aug. 28, 1954, ch. 1041, title II, §§ 206, 207, 68 Stat. 901; Pub. L. 88-297, title I, § 103(c), Apr. 11, 1964, 78 Stat. 175; Pub. L. 99-198, title IX, § 903(a), Dec. 23, 1985, 99 Stat. 1444; Pub. L. 100-707, title I, 109(a)(1), Nov. 23, 1988, 102 Stat. 4708.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (b), is act Oct. 31, 1949, ch. 792, 63 Stat. 1051, known as the Agricultural Act of 1949, which is classified principally to this chapter (§1421 et seq.). For complete classification of this Act to the Code, see Short Title note below and Tables.

The Disaster Relief and Emergency Assistance Act, referred to in subsec. (c), is Pub. L. 93-288, May 22, 1974, 88 Stat. 143, known as the Robert T. Stafford Disaster Relief and Emergency Assistance Act, which is classified principally to chapter 68 (§5121 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

AMENDMENTS

1988—Subsec. (c). Pub. L. 100-707, substituted “the Disaster Relief and Emergency Assistance Act” for “Public Law 875, Eighty-first Congress”.

1985—Subsec. (e). Pub. L. 99-198 designated existing provisions as par. (1) and added par. (2).

1964—Subsec. (b)(9). Pub. L. 88-297 added cl. (9).

1954—Subsec. (c). Act Aug. 28, 1954, §206, provided a program for diverted acres.

Subsec. (e). Act Aug. 28, 1954, §207, added subsec. (e).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1996 AMENDMENT

Pub. L. 104-127, title II, §263(c), Apr. 4, 1996, 110 Stat. 974, provided that: “The amendments made by this section [repealing provisions set out as notes under this section and section 1446 of this title] shall be effective beginning with the 1996 crops of wheat, feed grains, upland cotton, and rice.”

EFFECTIVE DATE OF 1991 AMENDMENT

Pub. L. 102-237, title XI, §1101, Dec. 13, 1991, 105 Stat. 1906, as amended by Pub. L. 110-234, title IV, §4002(b)(1)(B), (D), (2)(NN), May 22, 2008, 122 Stat. 1096, 1098; Pub. L. 110-246, §4(a), title IV, §4002(b)(1)(B), (D), (2)(NN), June 18, 2008, 122 Stat. 1664, 1857, 1859, provided that:

“(a) IN GENERAL.—Except as otherwise provided in this Act, this Act and the amendments made by this Act [see Tables for classification] shall take effect on the date of enactment of this Act [Dec. 13, 1991].

“(b) INCLUSION IN FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990.—The amendments made by the following provisions of this Act shall take effect as if included in the provision of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624) to which the amendment relates:

“(1) Section 201 [amending sections 5403, 5503, 5505, 5506, and 5822 of this title and provisions set out as a note under section 4201 of this title] (other than section 201(h) [enacting section 3125c of this title]).

“(2) Section 307 [amending section 1736bb-6 of this title].

“(3) Subsections (a) through (c), (e), (h), and (i) of section 501 [amending sections 1924, 1942, 1981, 1983, 2001, and 2006e of this title].

“(4) Subsections (a), (b), (f) through (i), and (l) of section 502 [amending sections 2019, 2071, 2129, 2214, 2252, 2271, and 2278a-2 of Title 12, Banks and Banking].

“(5) Section 602(c) [amending provisions set out as a note below].

“(6) Section 701 [amending sections 1926, 1926c, 1932, 1981, 1994, 2000, 2006f, 2008, 2008a, and 2008b of this title] (except as provided in subsection (c) of this section).

“(7) Section 702 [amending sections 950aaa-1, 1926-1, 1991, 1994, 2007a, and 2007c to 2007e of this title and provisions set out as a note under section 2006f of this title].

“(8) Section 703(c) [amending section 950aa of this title].

“(c) MISCELLANEOUS AMENDMENTS TO CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.—The amendments made by section 701(h) of this Act [amending sections 1926, 1932, 1981, 1994, and 2000 of this title] to any provision specified therein shall take effect as if such amendments had been included in the Act that added the provision so specified at the time such Act became law.

“(d) FOOD AND NUTRITION PROGRAMS.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, title IX of this Act [amending sections 1431e, 2012, 2014, 2015, 2017, 2018, 2020, 2025, 2026, 2028, 2029, and 2031 of this title, enacting provisions set out as notes under sections 2015, 2016, 2026, and 5930 of this title, and amending provisions set out as notes under sections 612c and 2012 of this title], and the amendments made by title IX of this Act, shall take effect and be implemented no later than February 1, 1992.

“(2) PASS ACCOUNTS EXCLUSION.—

“(A) IN GENERAL.—The amendment made by section 903(3) of this Act [amending section 2014 of this title] shall take effect on the earlier of—

“(i) the date of enactment of this Act [Dec. 13, 1991];

“(ii) October 1, 1990, for supplemental nutrition assistance program benefits households for which the State agency knew, or had notice, that a member of the household had a plan for achieving self-support as provided under section 1612(b)(4)(B)(iv) of the Social Security Act (42 U.S.C. 1382a(b)(4)(B)(iv)); or

“(iii) beginning on the date that a fair hearing was requested under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) contesting the denial of an exclusion for supplemental nutrition assistance program benefits purposes for amounts necessary for the fulfillment of such a plan for achieving self-support.

“(B) LIMITATION ON APPLICATION OF SECTION.—Notwithstanding section 11(b) of the Food and Nutrition Act of 2008 [section 2020(b) of this title] (as redesignated by section 941(6) of this Act), no State agency shall be required to search its files for cases to which the amendment made by section 903(3) of this Act [amending section 2014 of this title] applies, except where the excludability of amounts described in section 5(d)(16) of the Food and Nutrition Act of 2008 [section 2014(d)(16) of this title] (as added by section 903(3) of this Act) was raised with the State agency prior to the date of enactment of the Act [Dec. 13, 1991].

“(3) PERFORMANCE STANDARDS FOR EMPLOYMENT AND TRAINING PROGRAMS.—The amendments made by section 908 [907, amending section 2015 of this title] of this Act shall take effect on September 30, 1991.

“(4) RECOVERY OF CLAIMS CAUSED BY NONFRAUDULENT HOUSEHOLD ERRORS.—The amendment made by section 911 of this Act [amending section 2022 of this title] shall take effect on the date of enactment of this Act [Dec. 13, 1991].

“(5) DEFINITION OF RETAIL FOOD STORE.—The amendment made by section 913 of this Act [amending provisions set out as a note under section 2012 of this title] shall take effect on October 1, 1990, and shall not apply with respect to any period occurring before such date.”

EFFECTIVE DATE OF 1990 AMENDMENT

Pub. L. 101-624, title XI, §1171, Nov. 28, 1990, 104 Stat. 3521, provided that:

“(a) IN GENERAL.—Except as otherwise specifically provided in title I through this title [see Tables for classification], such titles and the amendments made by such titles shall become effective beginning with the 1991 crop of an agricultural commodity.

“(b) PRIOR CROPS.—Except as otherwise specifically provided and notwithstanding any other provision of law, title I through this title, and the amendments made by such titles, shall not affect the authority of the Secretary of Agriculture to carry out a price support or production adjustment program for any of the 1986 through 1990 crops of an agricultural commodity established under a provision of law in effect immediately before the effective date prescribed by subsection (a).”

EFFECTIVE DATE OF 1985 AMENDMENT

Pub. L. 99-198, title IX, §903(b), Dec. 23, 1985, 99 Stat. 1444, provided that: “The amendments made by this section [amending this section] shall apply to nonpayments occurring after January 1, 1985.”

SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103-66, title I, §1001(a), Aug. 10, 1993, 107 Stat. 312, provided that: “This title [enacting sections 936c and 1314i of this title and section 4607-6c of Title 16, Conservation, amending sections 511r, 608b, 1308, 1308-3, 1314c, 1314e, 1358-1, 1359a, 1359bb, 1441-2, 1444-2, 1444f, 1445, 1445-1, 1445-2, 1445b-3a, 1445c-3, 1445j, 1446e, 1446f, 1446g, 1446h, 1463, 1465, 1469, 1506, 1508, 1508a, 1782, 1783, 1785, 5623, and 5641 of this title and sections 3830, 3831, and 3837 of Title 16, enacting provisions set out as notes under sections 936c, 1446e, 1506, and 5623 of this title, and amending provisions set out as notes under this section and sections 608c and 1445b-3a of this title] may be cited as the ‘Agricultural Reconciliation Act of 1993.’”

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-237, §1, Dec. 13, 1991, 105 Stat. 1818, provided that: “This Act [see Tables for classification] may be cited as the ‘Food, Agriculture, Conservation, and Trade Act Amendments of 1991.’”

SHORT TITLE OF 1990 AMENDMENTS

Pub. L. 101-624, §1(a), Nov. 28, 1990, 104 Stat. 3359, provided that: “This Act [see Tables for classification] may be cited as the ‘Food, Agriculture, Conservation, and Trade Act of 1990.’”

Pub. L. 101-508, title I, §1001(a), Nov. 5, 1990, 104 Stat. 1388, provided that: “This title [enacting section 940d of this title, amending sections 511r, 1441-2, 1444-2, 1444f, 1445, 1445b-3a, 1445c-3, 1445j, 1446e, 1446f to 1446h, 1722, 1736, 1736a, 1783, 1994, 1999, and 5822 of this title and section 136a of Title 21, Food and Drugs, enacting provisions set out as notes under this section and sections 136w, 511r, and 1445b-3a of this title, and amending provisions set out as a note under this section] may be cited as the ‘Agricultural Reconciliation Act of 1990.’”

SHORT TITLE OF 1989 AMENDMENTS

Pub. L. 101-239, title I, §1001(a), Dec. 19, 1989, 103 Stat. 2106, provided that: “This title [enacting section 1433d of this title, amending sections 1444e, 1445b-2, 1446, 1464, and 1736s of this title, enacting provisions set out as notes under sections 1433d, 1444e, 1445b-2, 1446, and 1464 of this title and section 2278b-9 of Title 12, Banks and Banking, and amending provisions set out as a note

under this section] may be cited as the ‘Agricultural Reconciliation Act of 1989’.”

Pub. L. 101-82, §1(a), Aug. 14, 1989, 103 Stat. 564, provided that: “This Act [enacting sections 1508a and 1926a of this title and section 5142 of Title 25, Indians, amending sections 1359, 1464, 1471d, and 1471e of this title and section 2202 of Title 16, Conservation, enacting provisions set out as notes under this section and sections 1359, 1464, 1926a, 1929a, 1941, and 1961 of this title and sections 2202 and 2203 of Title 16, and amending provisions set out as a note under this section] may be cited as the ‘Disaster Assistance Act of 1989’.”

SHORT TITLE OF 1988 AMENDMENTS

Pub. L. 100-418, title II, §2221, Aug. 23, 1988, 102 Stat. 1336, provided that: “This part [part II (§§2221-2227) of subtitle B of title II of Pub. L. 100-418, which amended section 1431 of this title and enacted provisions set out as notes under section 1431 of this title] may be cited as the ‘American Aid to Poland Act of 1988’.”

Pub. L. 100-387, §1, Aug. 11, 1988, 102 Stat. 924, provided: “That this Act [see Tables for classification] may be cited as the ‘Disaster Assistance Act of 1988’.”

Act Oct. 31, 1949, ch. 792, title VI, §601, as added Aug. 11, 1988, Pub. L. 100-387, title I, §101(a), 102 Stat. 925, provided that: “This title [enacting sections 1471 to 1471j of this title] may be cited as the ‘Emergency Livestock Feed Assistance Act of 1988’.”

SHORT TITLE OF 1987 AMENDMENTS

Pub. L. 100-203, title I, §1001(a), Dec. 22, 1987, 101 Stat. 1330, provided that: “This title [enacting sections 940b, 940c, 944a, 1308-1 to 1308-3, and 2030 of this title, amending sections 608c, 946, 948, 1308, 1308-1, 1314b, 1314c, 1423, 1431, 1441-1, 1444, 1444-1, 1444e, 1445, 1445b-2, 1445b-3, 1445c-2, 1446, 1466, 1782, 1932, and 2371 of this title and section 713a-11 of Title 15, Commerce and Trade, enacting provisions set out as notes under sections 936a, 948, 1308 to 1308-3, 1441-1, 1444, 1444-1, 1444e, 1445, 1445b-2, 1445b-3, 1445c-2, 1446, 1466, and 1508 of this title, sections 713a-11 and 714b of Title 15, and section 7545 of Title 42, The Public Health and Welfare, and amending provisions set out as a note under this section] may be cited as the ‘Agricultural Reconciliation Act of 1987’.”

Pub. L. 100-45, §1, May 27, 1987, 101 Stat. 318, provided: “That this Act [amending sections 1441-1, 1444-1, 1444e, 1445b-3, and 1446 of this title and section 701n of Title 33, Navigation and Navigable Waters, and enacting provisions set out as notes under sections 1441-1, 1444-1, 1444e, 1445b-3, and 1446 of this title and section 3835 of Title 16, Conservation] may be cited as the ‘Farm Disaster Assistance Act of 1987’.”

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-258, §1, Apr. 10, 1984, 98 Stat. 130, provided: “That this Act [enacting section 1981b of this title, amending sections 1431, 1441, 1444, 1444d, 1445b-1, 1943, 1946, 1961, 1964, 1986, and 1994 of this title, enacting provisions set out as notes under sections 1921, 1961, and 1981 of this title, and amending provisions set out as a note preceding section 1961 of this title] may be cited as the ‘Agricultural Programs Adjustment Act of 1984’.”

SHORT TITLE OF 1983 AMENDMENTS

Pub. L. 98-180, §1, Nov. 29, 1983, 97 Stat. 1128, provided: “That this Act [enacting sections 511r, 4501 to 4514, and 4531 to 4538 of this title, amending section 608c, 1314b, 1314b-1, 1314b-2, 1314c, 1314d, 1314e, 1379, 1445, 1445-1, 1445-2, and 1446 of this title, and enacting provisions set out as notes under this section and sections 1314b, 1314c, 1314e, 1427, 1445, 1446, and 1727g of this title] may be cited as the ‘Dairy and Tobacco Adjustment Act of 1983’.”

Pub. L. 98-180, title I, §101, Nov. 29, 1983, 97 Stat. 1128, provided that: “This title [enacting sections 4501 to 4513 of this title, amending section 1446 of this title, and enacting provisions set out as notes under section 1446 of this title] may be cited as the ‘Dairy Production Stabilization Act of 1983’.”

Pub. L. 98-180, title II, §201, Nov. 29, 1983, 97 Stat. 1143, provided that: “This title [enacting section 511r of this title, amending sections 1314b, 1314b-1, 1314b-2, 1314c, 1314d, 1314e, 1379, 1445, 1445-1, and 1445-2 of this title, and enacting provisions set out as notes under sections 1314b, 1314c, 1314e, and 1445 of this title] may be cited as the ‘Tobacco Adjustment Act of 1983’.”

Pub. L. 98-88, §1, Aug. 26, 1983, 97 Stat. 494, provided: “That this Act [amending sections 1308, 1427, 1441, and 1444 of this title, repealing section 1347 of this title, and enacting provisions set out as notes under sections 1342, 1347, and 1444 of this title] may be cited as the ‘Extra Long Staple Cotton Act of 1983’.”

SHORT TITLE OF 1982 AMENDMENT

Pub. L. 97-358, §1, Oct. 21, 1982, 96 Stat. 1714, provided: “That this Act [enacting section 1433b of this title] may be cited as the ‘Surplus Agricultural Commodities Disposal Act of 1982’.”

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-213, §1, Mar. 18, 1980, 94 Stat. 119, provided: “That this Act [amending sections 1308, 1309, 1441, 1444, 1444c, and 1445b of this title, and enacting provisions set out as notes under sections 1308 and 1309 of this title] may be cited as the ‘Agricultural Adjustment Act of 1980’.”

SHORT TITLE

Act Oct. 31, 1949, ch. 792, §1, 63 Stat. 1051, provided: “That this Act [enacting this section and sections 1422 to 1431, 1432, 1433, 1441, 1443 to 1445a, 1446, 1446a, 1446d, 1447 to 1449, and 1461 to 1468 of this title, amending sections 612c, 1301, 1322, 1328, 1343, 1344, 1345, and 1353 to 1356 of this title, and repealing section 1302 of this title; amending sections 1134c and 1134j of Title 12, Banks and Banking, section 713a-4 of Title 15, Commerce and Trade, section 410 of Title 42, The Public Health and Welfare] may be cited as the ‘Agricultural Act of 1949’.”

REPEALS

Act Oct. 31, 1949, ch. 792, title IV, §414, 63 Stat. 1057, provided in part that: “any provision of law in conflict with the provisions of this Act [see Short Title note set out above] are [is] hereby repealed.”

REGULATIONS

Pub. L. 106-224, title II, §263, June 20, 2000, 114 Stat. 427, provided that:

“(a) PROMULGATION.—As soon as practicable after the date of the enactment of this Act [June 20, 2000], the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this title and the amendments made by this title [see Tables for classification]. The promulgation of the regulations and administration of this title shall be made without regard to—

“(1) the notice and comment provisions of section 553 of title 5, United States Code;

“(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

“(3) chapter 35 of title 44, United States Code (commonly known as the ‘Paperwork Reduction Act’).”

“(b) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.”

SEPARABILITY PROVISION FOR PUB. L. 101-624

Pub. L. 101-624, title XXV, §2518, formerly §2519, Nov. 28, 1990, 104 Stat. 4078; renumbered §2518 by Pub. L. 104-66, title I, §1101(h), Dec. 21, 1995, 109 Stat. 710, provided that: “If any provision of this Act [see Short Title of 1990 Amendment note above] or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or appli-

cations of this Act which can be given effect without regard to the invalid provision or application, and to this end the provisions of this Act are severable.”

SEPARABILITY PROVISION FOR PUB. L. 98-180

Pub. L. 98-180, title III, §305, Nov. 29, 1983, 97 Stat. 1152, provided that: “Except as otherwise provided in this Act [see Short Title of 1983 Amendment note above], if any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this Act and of the application of such provision to other persons and circumstances shall not be affected thereby.”

INAPPLICABILITY OF SECTION

Section inapplicable to 2014 through 2018 crops of covered commodities, cotton, and sugar and inapplicable to milk during period beginning Feb. 7, 2014, through Dec. 31, 2018, see section 9092(b)(10) of this title.

Section inapplicable to 2008 through 2012 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning June 18, 2008, through Dec. 31, 2012, see section 8782(b)(10) of this title.

Section inapplicable to 2002 through 2007 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning May 13, 2002, through Dec. 31, 2007, see section 7992(b)(10) of this title.

Section inapplicable to 1996 through 2002 crops of loan commodities, peanuts, and sugar and inapplicable to milk during period beginning Apr. 4, 1996, and ending Dec. 31, 2002, see section 7301(b)(1)(J) of this title.

CROP AND PASTURE FLOOD COMPENSATION PROGRAM

Pub. L. 106-224, title II, §257(a)-(d), June 20, 2000, 114 Stat. 424, 425, limited the per-person and total amounts payable from the Commodity Credit Corporation to compensate producers with covered land with respect to losses from long-term flooding during the 2000 crop year.

RESTORATION OF ELIGIBILITY FOR CROP LOSS ASSISTANCE

Pub. L. 106-224, title II, §259, June 20, 2000, 114 Stat. 426, as amended by Pub. L. 106-472, title III, §315, Nov. 9, 2000, 114 Stat. 2081, restored the eligibility of individuals otherwise eligible for disaster assistance under section 1102(c) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (as contained in section 101(a) of division A of Public Law 105-277; formerly 7 U.S.C. 1421 note), but deemed ineligible solely because the individual or entity changed the legal structure of the individual's or entity's farming operation.

EMERGENCY AND DISASTER ASSISTANCE FOR PRODUCERS

Pub. L. 106-224, title II, subtitle A, June 20, 2000, 114 Stat. 398, as amended by Pub. L. 106-387, §1(a) [title VIII, §816], Oct. 28, 2000, 114 Stat. 1549, 1549A-57, provided emergency and disaster assistance to farm owners and producers of various farm products in the 1999 marketing year and the 2000 crop year and provided payments in lieu of loan deficiency payments for producers of certain crops in the 2001 crop year.

Pub. L. 106-113, div. B, §1000(a)(5) [title I], Nov. 29, 1999, 113 Stat. 1536, 1501A-290, provided for an additional amount for specialty crop assistance authorized by section 803(c)(1) of Public Law 106-78, formerly set out in a note below.

Pub. L. 106-113, div. B, §1000(a)(5) [title I], Nov. 29, 1999, 113 Stat. 1536, 1501A-290, as amended by Pub. L. 106-387, §1(a) [title VIII, §802], Oct. 28, 2000, 114 Stat. 1549, 1549A-49, provided for an additional amount for livestock assistance authorized by section 805 of Public Law 106-78, formerly set out in a note below.

Pub. L. 106-78, title VIII, Oct. 22, 1999, 113 Stat. 1175, as amended by Pub. L. 106-113, div. B, §1000(a)(5) [title I, §102], Nov. 29, 1999, 113 Stat. 1536, 1501A-291, provided for emergency market loss payments and other disaster assistance to producers of crops and livestock in 1999.

Pub. L. 106-31, title I, §101, May 21, 1999, 113 Stat. 61, provided for crop loss assistance for multiyear losses due to disasters in two crop years during the five-crop year period beginning with the 1994 crop year.

Pub. L. 106-31, title I, §104, May 21, 1999, 113 Stat. 62, provided an additional amount for the Livestock Assistance Program under Pub. L. 105-277 (see section 101(a) [title XI] of Pub. L. 105-277, formerly set out as a note below).

Pub. L. 105-277, div. A, §101(a) [title XI], Oct. 21, 1998, 112 Stat. 2681, 2681-42, as amended by Pub. L. 106-31, title III, §3018, May 21, 1999, 113 Stat. 99; Pub. L. 106-78, title VIII, §817(a)(2), title IX, §913(b), Oct. 22, 1999, 113 Stat. 1184, 1205; Pub. L. 106-387, §1(a) [title VII, §754], Oct. 28, 2000, 114 Stat. 1549, 1549A-42; Pub. L. 107-25, §9, Aug. 13, 2001, 115 Stat. 203, provided emergency assistance for crop and livestock feed losses, for market loss assistance, and for other assistance to agricultural producers who incurred losses in the 1998 crop year due to disaster or who incurred multiyear losses in the period including 1998 and preceding crop years.

PROGRAMS FOR FARMERS AND RANCHERS WHO WERE ACTIVATED RESERVISTS DURING PERSIAN GULF CONFLICT

Pub. L. 102-25, title III, §§381-388, Apr. 6, 1991, 105 Stat. 95-98, as amended by Pub. L. 110-234, title IV, §4002(b)(1)(B), (D), (J), (2)(MM), May 22, 2008, 122 Stat. 1096, 1098; Pub. L. 110-246, §4(a), title IV, §4002(b)(1)(B), (D), (J), (2)(MM), June 18, 2008, 122 Stat. 1664, 1857, 1859, established programs for farmers and ranchers who were activated reservists during Persian Gulf conflict to provide for protection of producer's crop acreage base for any program crop, waiver of minimum planting requirement, temporary waiver of conservation requirements, relief for borrowers under farm credit provisions, and authority of a spouse or close relative to participate in programs administered by Secretary of Agriculture on behalf of activated reservists.

SURVEY OF PROGRAM PARTICIPANTS

Pub. L. 101-624, title XI, §1148, Nov. 28, 1990, 104 Stat. 3517, directed Secretary of Agriculture to require producers, during sign-up period for commodity programs under section 1421 et seq. of this title in the 1992 calendar year, to complete survey regarding preference of producers, either to increase efficiency of their farming operation or to assist in meeting conservation requirements for farm, for redistribution of any crop acreage bases on each producer's farm, to compile and analyze data collected from survey to determine potential increases and decreases in State, regional, and national acreage that would be planted to various program crops, potential commodity program costs or savings, and potential impact of such redistribution on competitiveness of United States agriculture in world markets, and, not later than Jan. 31, 1993, to submit to Congress results of survey.

OPTIONS PILOT PROGRAM

Pub. L. 101-624, title XI, subtitle E, Nov. 28, 1990, 104 Stat. 3518, as amended by Pub. L. 102-237, title I, §114(a)(2), Dec. 13, 1991, 105 Stat. 1838, known as Options Pilot Program Act of 1990, authorized Secretary of Agriculture to conduct pilot program for each of the 1991 through 1995 crops of corn and for each of the 1993 through 1995 crops of wheat and soybeans, to determine whether regulated agricultural commodity options trading could be used by producers to obtain protection from fluctuations in market prices of commodities produced and impact of such trading on prices of the commodities, authorized terms and conditions for participation in pilot program, provided for consultation with representatives of commodity futures trading industry, and provided that the pilot program was to be carried out by and through the Commodity Credit Corporation, prior to repeal by Pub. L. 104-127, title I, §191(i), Apr. 4, 1996, 110 Stat. 942.

HURRICANE HUGO FORESTRY ASSISTANCE; COST-SHARE ASSISTANCE

Pub. L. 101-624, title XXII, § 2235(b), Nov. 28, 1990, 104 Stat. 3960, directed Secretary of Agriculture to develop and implement cost-share program to provide financial assistance to owners of private timber stands that were damaged in 1989 by Hurricane Hugo.

APPROPRIATIONS FOR FORESTRY ASSISTANCE AND DOUBLE CROPPING ON DISASTER AREAS

Pub. L. 101-624, title XXII, § 2235(c), Nov. 28, 1990, 104 Stat. 3961, provided that benefits or assistance provided under section 2235 of Pub. L. 101-624 or amendments made by such that (enacting provisions set out above and amending provisions set out below) were to be provided only to extent provided for in advance by appropriation acts and authorized appropriations for fiscal years 1991 through 1995.

SCARCE FEDERAL RESOURCES

Pub. L. 101-624, title XXV, § 2515, Nov. 28, 1990, 104 Stat. 4075, authorized Secretary of Agriculture, after concurrence of certain Members of Congress, to rank by priority studies or reports authorized by Pub. L. 101-624 and determine which of those studies or reports was to be completed, but directed Secretary to complete at least 12 of the studies or reports.

RECORDKEEPING IMPROVEMENT

Pub. L. 101-624, title XXV, § 2516, Nov. 28, 1990, 104 Stat. 4075, which provided that section could be cited as "Agricultural Program Reporting and Recordkeeping Improvement Act of 1990", directed Secretary of Agriculture, not later than 240 days after Nov. 28, 1990, to submit to Congress a report containing specific proposals for reducing and simplifying recordkeeping and other paperwork required of producers participating in programs administered by Secretary and directed Secretary to take appropriate action to integrate various data bases of Department relating to agricultural program data, and to facilitate sharing of relevant data among various agencies of Department.

READJUSTMENT OF SUPPORT LEVELS

Pub. L. 101-508, title I, § 1302, Nov. 5, 1990, 104 Stat. 1388-12, as amended by Pub. L. 103-66, title I, § 1301(b), Aug. 10, 1993, 107 Stat. 330, provided that, if by June 30, 1992, and by June 30, 1993, the United States had not entered into agricultural trade agreement in Uruguay Round of multilateral trade negotiations under General Agreement on Tariffs and Trade (GATT) the Secretary of Agriculture was to reconsider and adjust agricultural acreage limitation and price support and production adjustment programs and export promotion levels, as appropriate to protect interests of American agricultural producers and ensure international competitiveness of United States agriculture and that such provisions were to cease to be effective if President certified to Congress that failure to enter into such agreement was result in whole or in part of provisions of 19 U.S.C. 2191, or essentially similar provisions, not applying or in effect not applying during period ending May 31, 1991 (or during period June 1, 1991, through May 31, 1993, if condition of 19 U.S.C. 2903(b)(1)(B)(i) was satisfied) to implementing bills submitted with respect to such an agreement entered into during applicable period under 19 U.S.C. 2902(b), prior to repeal by Pub. L. 104-127, title II, § 263(a), Apr. 4, 1996, 110 Stat. 974.

REPAYMENT OF ADVANCE DEFICIENCY PAYMENTS

Pub. L. 101-220, § 14, Dec. 12, 1989, 103 Stat. 1885, provided that effective only for the 1988 crops of wheat, feed grains, upland cotton, and rice, produced by producers that qualified for assistance under section 201(a) of Pub. L. 100-387 or section 101(a) of Pub. L. 101-82 (set out below), if the Secretary of Agriculture determines that any portion of the advance deficiency payment made to producers for such crop under section 1445b-2

of this title had to be refunded, such refund could not be required to be made prior to July 31, 1990.

PILOT PROJECT ON CLEAN GRAIN PREMIUMS

Pub. L. 100-518, § 3, Oct. 24, 1988, 102 Stat. 2587, directed Secretary of Agriculture to conduct study of schedule of premiums and discounts applied to loans made in accordance with this chapter to determine how premiums and discounts could be used to encourage production, marketing, and exporting of high quality, clean grain, to submit, not later than May 1, 1989, to Congress report on results of such study, to include recommendations with respect to schedule of premiums and discounts in such report, and to establish pilot project for 1989 crops of wheat, soybeans, and feed grains to test effectiveness of such recommendations, and to submit report describing result of project, not later than 180 days after end of 1989 marketing year for feed grains.

EMERGENCY CROP LOSS ASSISTANCE

Pub. L. 102-229, title I, Dec. 12, 1991, 105 Stat. 1712, as amended by Pub. L. 102-368, title VI, Sept. 23, 1992, 106 Stat. 1130, appropriated an additional \$1,750,000,000, to remain available until expended, for losses associated with 1990 crops as authorized by Pub. L. 101-624, formerly set out below, and for losses associated with 1991 and 1992 crops under same terms and conditions.

Pub. L. 101-624, title XXII, §§ 2241-2272, Nov. 28, 1990, 104 Stat. 3962-3977, as amended by Pub. L. 101-508, title I, § 1204(d), Nov. 5, 1990, 104 Stat. 1388-12; Pub. L. 102-237, title I, § 114(a)(4)-(16), Dec. 13, 1991, 105 Stat. 1838, 1839, related to emergency crop loss assistance for the 1990 crop of wheat, feed grains, upland cotton, extra long staple cotton, and rice, for orchards, and for forest crops, prior to repeal by Pub. L. 103-354, title I, § 119(c), Oct. 13, 1994, 108 Stat. 3208. Similar provisions for prior crop years were contained in:

Pub. L. 101-82, title I, Aug. 14, 1989, 103 Stat. 565, as amended by Pub. L. 101-134, § 1, Oct. 30, 1989, 103 Stat. 780; Pub. L. 101-220, § 9(a)-(c), Dec. 12, 1989, 103 Stat. 1882; Pub. L. 101-624, title XXII, §§ 2231, 2232, 2235(a), Nov. 28, 1990, 104 Stat. 3958, 3959; Pub. L. 102-237, title VI, § 602(a), (c), Dec. 13, 1991, 105 Stat. 1878.

Pub. L. 100-387, title II, Aug. 11, 1988, 102 Stat. 933, as amended by Pub. L. 101-82, title VI, § 602, Aug. 14, 1989, 103 Stat. 587; Pub. L. 101-239, title I, § 1004(a), Dec. 19, 1989, 103 Stat. 2108.

SPECIAL STUDY AND PILOT PROJECTS ON FUTURES TRADING

Pub. L. 99-198, title XVII, subtitle E, §§ 1741-1743, Dec. 23, 1985, 99 Stat. 1643, 1644, as amended by Pub. L. 100-203, title I, § 1502, Dec. 22, 1987, 101 Stat. 1330-27, directed Secretary of Agriculture to conduct study to determine manner in which commodity futures markets and commodity options markets might be used by producers of commodities traded on such markets to provide price stability and income protection, extent of price stability and income protection producers might reasonably expect to receive from such participation, and Federal budgetary impact of such participation compared with cost of applicable established price support programs, to report results of study to Congress on or before Dec. 31, 1989, and in connection with such study, to conduct pilot program with respect to crops of wheat, feed grains, soybean, and cotton.

FARM INCOME PROTECTION INSURANCE PROGRAM TASK FORCE, STUDY, AND REPORT

Pub. L. 97-98, title XI, § 1112, Dec. 22, 1981, 95 Stat. 1267, directed Secretary of Agriculture to appoint a special task force to study and report to Congress, not later than 18 months after Dec. 22, 1981, as to whether farm income protection insurance would provide the basis for an acceptable alternative to the commodity price support, income maintenance, and disaster assistance programs currently administered by the Department of Agriculture for the benefit of farmers.

STUDIES IN RICE PRICE SUPPORT; REPORT TO
CONGRESS; TERMINATION DATE

Act Aug. 28, 1954, ch. 1041, title III, §315, 68 Stat. 905, directed Secretary of Agriculture to study various two-price systems of price support and marketing which could be made applicable to rice and to submit to Congress on or before Mar. 1, 1955, a detailed report thereon.

Executive Documents

EXCEPTIONS FROM TRANSFER OF FUNCTIONS

Functions of Corporations of Department of Agriculture, boards of directors and officers of such corporations; Advisory Board of Commodity Credit Corporation; and Farm Credit Administration or any agency, officer, or entity of, under, or subject to supervision of said Administration excepted from functions of officers, agencies, and employees transferred to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, effective June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

§ 1421a. Financial impact study

(a) Study

The Secretary of Agriculture shall conduct an annual study of the financial impact of the support levels established and announced by the Secretary under programs contained in the Agricultural Act of 1949 [7 U.S.C. 1421 et seq.] (hereafter in this section referred to as "programs"), including a study of the effect of the support levels on the ability of producers to meet their financial obligations (with special emphasis on borrowers from the Farmers Home Administration and the Farm Credit System).

(b) Report

The Secretary shall annually prepare a report containing the results of the study and submit the report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, not later than the date of the final announcement for the programs by the Secretary for any 1 year.

(c) Informational purposes

The study under this section (including the study of the effect of the support levels on the ability of producers to meet their financial obligations) shall be only for informational purposes and for Congressional oversight and shall not give rise to any cause of action, be a basis for, or be used as evidence in support of, any claim or right of any person, including farmers and borrowers, in any administrative or judicial proceeding.

(Pub. L. 101-624, title XI, §1147, Nov. 28, 1990, 104 Stat. 3516.)

Editorial Notes

REFERENCES IN TEXT

The Agricultural Act of 1949, referred to in subsec. (a), is act Oct. 31, 1949, ch. 792, 63 Stat. 1051, which is classified principally to this chapter (§1421 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

CODIFICATION

Section was enacted as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of

the Agricultural Act of 1949 which is classified principally to this chapter. For complete classification of the 1949 Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective beginning with 1991 crop of an agricultural commodity, with provision for prior crops, see section 1171 of Pub. L. 101-624, set out as a note under section 1421 of this title.

§ 1421b. Costs of production

Congress finds that, to improve the accuracy of commodity program benefit forecasts, the Secretary of Agriculture should designate a single organization to manage its commodity program forecasting and establish a quality control program to—

- (1) systematically identify the source of forecasting errors;
- (2) maintain records of data used for supply and demand forecasts;
- (3) document its forecasting methods; and
- (4) correct weaknesses in its various forecasting components.

(Pub. L. 101-624, title XXV, §2512, Nov. 28, 1990, 104 Stat. 4073; Pub. L. 104-66, title I, §1011(b), Dec. 21, 1995, 109 Stat. 709.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the Agricultural Act of 1949 which is classified principally to this chapter. For complete classification of the 1949 Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

AMENDMENTS

1995—Pub. L. 104-66 struck out subsec. (a) designation and heading "Improving accuracy of commodity program budget forecasts" before "Congress finds that", and struck out subsec. (b) "Return on assets" which read as follows: "The Secretary of Agriculture shall annually publish a report analyzing the return on assets resulting from the production of upland cotton, rice, wheat, corn, oats, barley, grain sorghum, soybeans, peanuts, sugar from sugar beets, and raw sugar from sugar cane. In conducting this analysis, the Secretary shall consider returns from agricultural price support programs, the effects of agricultural price support programs on cost of production, the factors currently used in Department of Agriculture cost of production data, current value of land, and any other information that he considers necessary to reflect accurately return on the production of such crops."

§ 1421c. Repealed. Pub. L. 104-66, title I, § 1011(c), Dec. 21, 1995, 109 Stat. 709

Section, Pub. L. 101-624, title XXV, §2513, Nov. 28, 1990, 104 Stat. 4074, directed Secretary of Agriculture to develop system for informing consumers of farm value of agricultural products and to submit annual reports on such information to Congress.

§ 1421d. Commodity reports

(a) Crop reports

The Secretary of Agriculture (hereafter in this section referred to as the "Secretary") shall gather data from producers to be used to develop