

§ 1471j. Penalties

A person that disposes of any feed made available to a livestock producer under this subchapter other than as authorized by the Secretary shall be (1) subject to a civil penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and (2) guilty of a misdemeanor and, on conviction thereof, subject to a fine of not more than \$1,000, or imprisonment for not more than one year, or both.

(Oct. 31, 1949, ch. 792, title VI, §612, as added Pub. L. 100-387, title I, §101(a), Aug. 11, 1988, 102 Stat. 931.)

EFFECTIVE DATE

Section effective 15 days after Aug. 11, 1988, see section 101(c)(1) of Pub. L. 100-387, set out as an Effective and Termination Dates of 1988 Amendment note under section 1427 of this title.

INAPPLICABILITY OF SECTION

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)(12) 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)(L) of this title.

§ 1472. Assistance for livestock producers**(a) Definition of livestock**

In this section, the term “livestock” includes elk, reindeer, bison, horses, and deer.

(b) Availability of assistance

In such amounts as are provided in advance in appropriation Acts, the Secretary of Agriculture may provide assistance to dairy and other livestock producers to cover economic losses incurred by such producers in connection with the production of livestock.

(c) Types of assistance

The assistance provided to livestock producers may be in the following forms:

- (1) Indemnity payments to livestock producers who incur livestock mortality losses.
- (2) Livestock feed assistance to livestock producers affected by shortages of feed.
- (3) Compensation for sudden increases in production costs.
- (4) Such other assistance, and for such other economic losses, as the Secretary considers appropriate.

(d) Limitations

The Secretary may not use the funds of the Commodity Credit Corporation to provide assistance under this section.

(e) Authorization of appropriations

There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

(Pub. L. 107-171, title X, §10104, May 13, 2002, 116 Stat. 488; Pub. L. 108-447, div. A, title VII, §785(b)(2), Dec. 8, 2004, 118 Stat. 2850; Pub. L. 109-97, title VII, §784(b)(3), Nov. 10, 2005, 119 Stat. 2162.)

CODIFICATION

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of the

Emergency Livestock Feed Assistance Act of 1988 which comprises this subchapter or 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

2005—Subsec. (a). Pub. L. 109-97 substituted “bison, horses, and deer” for “and bison”.

2004—Pub. L. 108-447 added subsec. (a) and redesignated former subsecs. (a) to (d) as (b) to (e), respectively.

EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-97 applicable to losses resulting from a disaster that occurs on or after July 28, 2005, and inapplicable to losses resulting from a disaster that occurs before such date, see section 784(c) of Pub. L. 109-97, set out as a note under section 1471 of this title.

CHAPTER 36—CROP INSURANCE**SUBCHAPTER I—FEDERAL CROP INSURANCE**

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SUBCHAPTER I—FEDERAL CROP INSURANCE**§ 1501. Short title and application of other provisions**

This subchapter may be cited as the “Federal Crop Insurance Act”. Except as otherwise expressly provided the provisions in titles I to IV, inclusive, shall not apply with respect to this subchapter, and the term “Act” wherever it appears in such titles shall not be construed to include this subchapter.

(Feb. 16, 1938, ch. 30, title V, §501, 52 Stat. 72; Pub. L. 110-234, title XII, §12033(c), May 22, 2008, 122 Stat. 1405; Pub. L. 110-246, §4(a), title XII, §12033(c), June 18, 2008, 122 Stat. 1664, 2167.)

REFERENCES IN TEXT

“Titles I to IV, inclusive,” and “such titles”, referred to in text, are references to titles I to IV of act Feb. 16, 1938, ch. 30, 52 Stat. 31, as amended, known as the Agricultural Adjustment Act of 1938, which is classified principally to chapter 35 (§1281 et seq.) of this title. For complete classification of this Act to the Code, see section 1281 of this title and Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2008—Pub. L. 110-246, §12033(c), inserted section catchline and substituted “subchapter” for “chapter” wherever appearing in text.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-224, title I, §171, June 20, 2000, 114 Stat. 397, provided that:

“(a) IN GENERAL.—Except as provided in subsection (b), this Act [probably means this title, see Tables for classification] and the amendments made by this Act take effect on the date of the enactment of this Act [June 20, 2000].

“(b) EXCEPTIONS.—

“(1) 2001 FISCAL YEAR.—The following provisions and the amendments made by the provisions take effect on October 1, 2000:

“(A) Subtitle C [§§131-134 of Pub. L. 106-224, enacting sections 1522 to 1524 of this title and amending sections 1518 and 7331 of this title].

“(B) Section 146 [amending section 1508 of this title].

“(C) Section 163 [114 Stat. 395].

“(2) 2001 CROP YEAR.—The amendments made by the following provisions apply beginning with the 2001 crop of an agricultural commodity:

“(A) Subsections (a), (b), and (c) of section 101 [amending section 1508 of this title].

“(B) Section 102(a) [amending section 1508 of this title].

“(C) Subsections (a), (b), and (c) of section 103 [amending section 1508 of this title and provisions set out as a note under section 1508 of this title].

“(D) Section 104 [amending section 1508 of this title].

“(E) Section 105(b) [amending section 1508 of this title].

“(F) Section 108 [enacting section 1508a of this title].

“(G) Section 109 [amending section 7333 of this title].

“(H) Section 162 [amending section 1508 of this title].

“(3) 2001 REINSURANCE YEAR.—The amendments made by the following provisions apply beginning with the 2001 reinsurance year:

“(A) Section 101(d) [amending section 1508 of this title].

“(B) Section 102(b) [amending section 1508 of this title].

“(C) Section 103(d) [amending section 1508 of this title].”

SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-224, §1(a), June 20, 2000, 114 Stat. 358, provided that: “This Act [see Tables for classification] may be cited as the ‘Agricultural Risk Protection Act of 2000.’”

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-354, title I, §101(a), Oct. 13, 1994, 108 Stat. 3179, provided that: “This title [enacting sections 1433f, 1515, 1521, and 2008f of this title, amending sections 1441-2, 1444-2, 1444f, 1445b-3a, 1502 to 1509, 1511, 1513, 1516, and 1518 to 1520 of this title, sections 901 and 902 of Title 2, The Congress, and section 1014 of Title 18, Crimes and Criminal Procedure, repealing sections 1446i and 1508a of this title, enacting provisions set out as notes under sections 1502, 1506, and 1508 of this title and sections 901 and 902 of Title 2, and repealing provisions set out as a note under section 1421 of this title] may be cited as the ‘Federal Crop Insurance Reform Act of 1994.’”

SHORT TITLE OF 1980 AMENDMENT

Pub. L. 96-365, §1, Sept. 26, 1980, 94 Stat. 1312, provided: “That this Act [amending sections 1441, 1444, 1444c, 1445b, 1504, 1505, 1506, 1507, 1508, 1516, and 1518 and repealing section 1515 of this title and enacting provisions set out as notes under sections 1504, 1508, and 1516 of this title] may be cited as the ‘Federal Crop Insurance Act of 1980.’”

REGULATIONS

Pub. L. 106-224, title I, §172, June 20, 2000, 114 Stat. 397, provided that: “Not later than 120 days after the date of the enactment of this Act [June 20, 2000], the Secretary of Agriculture shall promulgate regulations to carry out this Act [probably means this title, see Tables for classification] and the amendments made by this Act.”

SAVINGS CLAUSE

Pub. L. 106-224, title I, §173, June 20, 2000, 114 Stat. 398, provided that: “The Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) and section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333), as in effect on day before the date of the enactment of this Act [June 20, 2000], shall—

“(1) continue to apply with respect to the 1999 crop year; and

“(2) apply with respect to the 2000 crop year, to the extent the application of an amendment made by this Act [probably means this title, see Tables for classification] is delayed under section 171(b) [set out as an Effective Date of 2000 Amendment note above] or by the terms of the amendment.”

§ 1502. Purpose; definitions; protection of information; relation to other laws

(a) Purpose

It is the purpose of this subchapter to promote the national welfare by improving the economic stability of agriculture through a sound system of crop insurance and providing the means for the research and experience helpful in devising and establishing such insurance.

(b) Definitions

As used in this subchapter:

(1) Additional coverage

The term “additional coverage” means a plan of crop insurance coverage providing a level of coverage greater than the level available under catastrophic risk protection.

(2) Approved insurance provider

The term “approved insurance provider” means a private insurance provider that has