

## EFFECTIVE DATE OF REPEAL

Repeal 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 an Effective Date of 1990 Amendment note under section 1421 of this title.

**§ 1444e. Omitted**

## CODIFICATION

Section, act Oct. 31, 1949, ch. 792, title I, §105A, formerly §105C, as added Dec. 23, 1985, Pub. L. 99-198, title IV, §401, 99 Stat. 1395; amended Feb. 28, 1986, Pub. L. 99-253, §2, 100 Stat. 36; Mar. 20, 1986, Pub. L. 99-260, §§2(b), 7(b), 100 Stat. 46, 50; May 27, 1987, Pub. L. 100-45, §3, 101 Stat. 319; Dec. 22, 1987, Pub. L. 100-203, title I, §§1101(b), 1102(b), 1103, 1107, 1113(b), 1202, 101 Stat. 1330-1 to 1330-3, 1330-5, 1330-9, 1330-11; Dec. 12, 1989, Pub. L. 101-220, §1, 103 Stat. 1876; Dec. 19, 1989, Pub. L. 101-239, title I, §§1002(b), 1003(b)(2), 103 Stat. 2107, 2108; renumbered §105A, Nov. 28, 1990, Pub. L. 101-624, title IV, §401(2), 104 Stat. 3400, related to loan rates, target prices, disaster payments, acreage limitation and set-aside programs, and land diversion. See Effective and Termination Dates note below.

## EFFECTIVE AND TERMINATION DATES

Pub. L. 99-198, title IV, §401, Dec. 23, 1985, 99 Stat. 1395, provided that this section is effective only for the 1986 through 1990 crops of feed grains.

**§ 1444e-1. Loans and purchases for 1986 through 1996 crops of corn**

(a) Notwithstanding any other provision of law, effective only for each of the 1986 through 1996 crops of feed grains, the Secretary of Agriculture may make available loans and purchases, as provided in this section, to producers on a farm who—

(1) for silage—

(A) cut corn (including mutilated corn) that the producers have produced in such crop year; or

(B) purchase or exchange corn (including mutilated corn) that has been produced in such crop year by another producer (including a producer that is not participating in an acreage limitation or set-aside program for such crop established by the Secretary); and

(2) participate in an acreage limitation or set-aside program for such crop of corn established by the Secretary.

(b) Such loans and purchases may be made on a quantity of corn of the same crop, other than the corn obtained for silage, acquired by the producer equivalent to a quantity determined by multiplying—

(1) the acreage of corn obtained for silage; by

(2) the lower of the farm program payment yield or the actual yield on a field, as determined by the Secretary, that is similar to the field from which such silage was obtained.

(Pub. L. 99-198, title IV, §403, Dec. 23, 1985, 99 Stat. 1406; Pub. L. 101-624, title IV, §403, Nov. 28, 1990, 104 Stat. 3419.)

## CODIFICATION

Section was enacted as part of the Food Security Act of 1985, 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

1990—Subsec. (a). Pub. L. 101-624 substituted “1996” for “1990” in introductory provisions.

## EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-624 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.

**§ 1444f. Repealed. Pub. L. 104-127, title I, § 171(b)(2)(C), Apr. 4, 1996, 110 Stat. 938**

Section, act Oct. 31, 1949, ch. 792, title I, §105B, as added Nov. 28, 1990, Pub. L. 101-624, title IV, §401(3), 104 Stat. 3401; amended Nov. 5, 1990, Pub. L. 101-508, title I, §§1101(b), 1102(b), 1103(b), 104 Stat. 1388-1, 1388-2; Dec. 13, 1991, Pub. L. 102-237, title I, §§102(c), 103(a), 105, 106(c), 108, 113(4), (5), 114(b)(1), 105 Stat. 1822, 1823, 1825, 1828, 1837, 1839; Aug. 10, 1993, Pub. L. 103-66, title I, §1103, 107 Stat. 315; May 6, 1994, Pub. L. 103-247, §1(b), 108 Stat. 618; Oct. 13, 1994, Pub. L. 103-354, title I, §119(a)(4), 108 Stat. 3207, related to loans, payments, and acreage reduction programs for 1991 through 1995 crops of feed grains.

**§ 1444f-1. Repealed. Pub. L. 102-237, title I, § 114(b)(2), Dec. 13, 1991, 105 Stat. 1840**

Section, Pub. L. 101-624, title IV, §404, Nov. 28, 1990, 104 Stat. 3419, related to price support for high moisture feed grains. See section 1444f(q) of this title.

**§§ 1445 to 1445-2. Repealed. Pub. L. 108-357, title VI, § 612(a), Oct. 22, 2004, 118 Stat. 1523**

Section 1445, act Oct. 31, 1949, ch. 792, title I, §106, as added Pub. L. 86-389, §1, Feb. 20, 1960, 74 Stat. 6; amended Pub. L. 89-12, §3, Apr. 16, 1965, 79 Stat. 72; Pub. L. 92-10, §3, Apr. 14, 1971, 85 Stat. 27; Pub. L. 97-218, title I, §102, July 20, 1982, 96 Stat. 201; Pub. L. 98-59, §1, July 25, 1983, 97 Stat. 296; Pub. L. 98-180, title II, §202, Nov. 29, 1983, 97 Stat. 1144; Pub. L. 99-157, §6(a), Nov. 15, 1985, 99 Stat. 818; Pub. L. 99-272, title I, §§1102, 1105(b), Apr. 7, 1986, 100 Stat. 84, 90; Pub. L. 100-203, title I, §1104(a), Dec. 22, 1987, 101 Stat. 1330-4; Pub. L. 101-508, title I, §1105(f), Nov. 5, 1990, 104 Stat. 1388-6; Pub. L. 103-66, title I, §1106(b)(1), Aug. 10, 1993, 107 Stat. 321; Pub. L. 103-465, title IV, §422(b), Dec. 8, 1994, 108 Stat. 4964, related to tobacco price support levels for 1960 and subsequent years.

Section 1445-1, act Oct. 31, 1949, ch. 792, title I, §106A, as added Pub. L. 97-218, title I, §101, July 20, 1982, 96 Stat. 197; amended Pub. L. 98-180, title II, §203, Nov. 29, 1983, 97 Stat. 1145; Pub. L. 99-272, title I, §1108(a), (d), Apr. 7, 1986, 100 Stat. 92, 95; Pub. L. 99-500, §101(a) [title VI, §637], Oct. 18, 1986, 100 Stat. 1783, 1783-34, and Pub. L. 99-591, §101(a) [title VI, §637], Oct. 30, 1986, 100 Stat. 3341, 3341-34; Pub. L. 103-66, title I, §1106(b)(2), Aug. 10, 1993, 107 Stat. 321, related to producer contributions and purchaser assessments for the No Net Cost Tobacco Fund.

Section 1445-2, act Oct. 31, 1949, ch. 792, title I, §106B, as added Pub. L. 97-218, title III, §301, July 20, 1982, 96 Stat. 207; amended Pub. L. 98-180, title II, §204, Nov. 29, 1983, 97 Stat. 1145; Pub. L. 99-157, §6(b), Nov. 15, 1985, 99 Stat. 818; Pub. L. 99-272, title I, §1108(b), Apr. 7, 1986, 100 Stat. 94; Pub. L. 103-66, title I, §1106(b)(3), Aug. 10, 1993, 107 Stat. 322, related to marketing assessments to No Net Cost Tobacco Account.

## EFFECTIVE DATE OF REPEAL

Repeal applicable to the 2005 and subsequent crops of tobacco, see section 643 of Pub. L. 108-357, set out as an Effective Date note under section 518 of this title.

## SAVINGS PROVISION

Repeal not to affect the liability of any person under sections 1445 to 1445-2 of this title with respect to the

2004 or an earlier crop of tobacco, see section 614 of Pub. L. 108-357, set out as a note under section 515 of this title.

### § 1445-3. Purchase of inventory stock

Notwithstanding any other provision of law, in order to reduce or eliminate the excessive inventories of Flue-cured and Burley tobacco held by associations from the 1976 through 1984 crops, and in order to provide for the orderly disposition of such excessive inventories of tobacco in a manner that will not disrupt the orderly marketing of new tobacco crops and will minimize any losses to the Federal Government:

#### (a) Sale of inventory stock

(1) The producer-owned cooperative marketing association that has entered into a loan agreement with the Commodity Credit Corporation to make price support available to producers of Flue-cured tobacco shall offer to sell the stocks of Flue-cured tobacco of the association from the 1976 through 1984 crops as provided in this section.

(2) Each producer-owned cooperative marketing association that has entered into a loan agreement with the Commodity Credit Corporation to make price support available to producers of Burley tobacco shall offer to sell its stocks of Burley tobacco from the 1982 and 1984 crops as provided in this section.

(3)(A)(i) Not later than 30 days after April 7, 1986, the Commodity Credit Corporation shall acquire title to the Burley tobacco from the 1983 crop that is pledged as security for loans on such tobacco by calling the loans on such tobacco.

(ii) The Corporation shall, then, offer such tobacco for sale at such times, in such quantities, and subject to such conditions as the Corporation considers appropriate.

(B) If the Commodity Credit Corporation has not sold all of the stocks of the 1983 crop of Burley tobacco within 2 years from the date the Corporation calls the loans on such tobacco, the Corporation may offer to sell to domestic manufacturers of cigarettes the remaining stocks of such tobacco as provided in this section.

#### (b) Sale prices

(1)(A) The stocks of Flue-cured tobacco from the 1976 through 1984 crops shall be offered for sale at the base prices, including carrying charges, in effect as of the date of the offer, reduced by—

(i) 90 percent for Flue-cured tobacco from the 1976 through 1981 crops; and

(ii) 10 percent for Flue-cured tobacco from the 1982 through 1984 crops.

(B) The purchasers of the stocks of Flue-cured tobacco from the 1976 through 1984 crops shall pay the full carrying charges that have accrued to such tobacco from the date of the offer made under this section to the date that such tobacco is removed from the inventory of the association.

(2)(A) The stocks of Burley tobacco from the 1982 crop shall be offered for sale at the listed base price in effect as of July 1, 1985.

(B) The stocks of Burley tobacco from the 1984 crop shall be offered for sale at the costs of the association for such tobacco as of April 7, 1986.

(C) The purchasers of the stocks of Burley tobacco from the 1982 crop shall pay the full carrying charges that have accrued to such tobacco.

(D) The purchasers of the stocks of Burley tobacco from the 1984 crop shall pay the full carrying charges that have accrued to such tobacco from April 7, 1986, to the date such tobacco is removed from the inventories of the associations.

(3)(A) After the 2-year period specified in subsection (a)(3)(B) of this section has expired, if the Commodity Credit Corporation offers to sell the stocks of the Corporation of Burley tobacco from the 1983 crop to domestic manufacturers of cigarettes, such stocks shall be offered for sale at the costs of the association, including carrying charges, as of the date on which the Corporation calls the loans on such tobacco, reduced by 90 percent.

(B) Neither tobacco producers nor tobacco purchasers shall be responsible for carrying charges that accrue to the 1983 crop of Burley tobacco after the date on which the Commodity Credit Corporation calls the loans on such tobacco.

#### (c) Terms of agreements

(1)(A) Each domestic manufacturer of cigarettes may enter into agreements to purchase inventory stocks of Flue-cured and Burley tobacco, in accordance with this section.

(B) To be eligible for the reductions in price specified in this section, such manufacturer shall enter into such agreements as soon as practicable, but not later than 90 days after April 7, 1986, except that, with respect to the 1983 crop of Burley tobacco, if the Corporation offers to sell the stocks of such tobacco pursuant to subsection (b)(3)(A) of this section, such agreements shall be entered into as soon as practicable, but not later than 90 days after the end of the 2-year period referred to in subsection (a)(3)(B) of this section.

(C)(i) Such agreements shall provide that, over a period of time, each participating domestic manufacturer of cigarettes shall purchase a percentage of the stocks of Flue-cured and Burley tobacco held—

(I) by the producer-owned cooperative marketing associations at the close of the 1984 marketing year; or

(II) in the case of the 1983 crop of Burley tobacco, by the Commodity Credit Corporation at the time the Corporation offers such tobacco for sale to domestic manufacturers of cigarettes under this section.

(ii) The period of time referred to in clause (i) may not exceed—

(I) in the case of Flue-cured tobacco, 8 years from April 7, 1986;

(II) in the case of Burley tobacco from the 1982 and 1984 crops, 5 years from April 7, 1986; and

(III) in the case of the 1983 crop of Burley tobacco, 5 years from the end of the 2-year period referred to in subsection (a)(3)(B) of this section.

(2)(A)(i) The percentage to be purchased by each participating manufacturer shall be at least equal to the respective percentage of the participating manufacturer of the total quantity of net cigarettes manufactured for use as