

1965—Pub. L. 89-321 temporarily raised the wheat support level to 100 per centum of parity or as near to 100 per centum as the Secretary determines to be practicable, placed a floor of 100 per centum of parity for wheat accompanied by marketing certificates and \$1.25 for wheat not so accompanied under the 1966 crop, guaranteed to cooperators for 1967 through 1969 crops a total average rate of return per bushel of not less than the total average rate of return per bushel made available to cooperators through loans and domestic marketing certificates for the 1966 crop where the diversion factor is not less than 10 per centum, and eliminated reference to classification as cooperators of producers who do not knowingly exceed the farm acreage allotment for wheat in cases where marketing quotas are not in effect. See Effective and Termination Dates of 1965 Amendment note below.

1964—Subsec. (1). Pub. L. 88-297 substituted “domestic certificates” for “marketing certificates”.

Subsec. (2). Pub. L. 88-297 added subsec. (2). Former subsec. (2) redesignated (3).

Subsec. (3). Pub. L. 88-297 redesignated former subsec. (2) as (3), struck out introductory clause “if marketing quotas are in effect for wheat”, and inserted “not in excess of 90 per centum of the parity price therefor.” Former subsec. (3) redesignated (4).

Subsec. (4). Pub. L. 88-297 redesignated former subsec. (3) as (4). Former subsec. (4) redesignated (5).

Subsec. (5). Pub. L. 88-297 redesignated former subsec. (4) as (5) and inserted introductory phrase “Effective with respect to crops planted for harvest in the calendar year 1966 and any subsequent year.”. Former subsec. (5) redesignated (6).

Subsec. (6). Pub. L. 88-297 redesignated former subsec. (5) as (6), struck out introductory clause “if marketing quotas are in effect for the crop of wheat”, struck out from cl. (i)(A) “or any other commodity” after “wheat”, substituted in cl. (i)(B) “the farm acreage allotment for wheat on any other farm on which the producer shares in the production of wheat” for “the farm acreage allotment on any other farm for any commodity in which he has an interest as a producer”, inserted “Effective with respect to crops planted for harvest in the calendar year 1966 and any subsequent year,” before “if marketing quotas”, and inserted provision for deeming a producer as not having exceeded a farm acreage allotment for wheat if the production on the acreage in excess of the farm acreage allotment is stored pursuant to section 1379c(b) of this title, but making the producer ineligible to receive price support on the wheat so stored.

EFFECTIVE AND TERMINATION DATES OF 1973 AMENDMENT

Pub. L. 93-86, §1(8), Aug. 10, 1973, 87 Stat. 224, provided that the amendment made by section 1(8) is effective beginning with the 1974 crop.

EFFECTIVE AND TERMINATION DATES OF 1970 AMENDMENT

Pub. L. 91-524, title IV, §401, Nov. 30, 1970, 84 Stat. 1362, as amended by Pub. L. 93-86, §1(8), Aug. 10, 1973, 87 Stat. 224, provided that the amendment made by section 401 is effective only with respect to the 1971 through 1977 crops of wheat.

EFFECTIVE AND TERMINATION DATES OF 1965 AMENDMENT

Pub. L. 89-321, title V, §506, Nov. 3, 1965, 79 Stat. 1203, as amended by Pub. L. 90-559, §1(1), Oct. 11, 1968, 82 Stat. 996, provided that the amendment made by section 506 is effective only with respect to the 1966 through 1970 crops.

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)(4) 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)(D) of this title.

Pub. L. 101-624, title III, §305, Nov. 28, 1990, 104 Stat. 3400, provided that: “Section 107 of the Agricultural Act of 1949 (7 U.S.C. 1445a) shall not be applicable to the 1991 through 1995 crops of wheat.”

Pub. L. 99-198, title III, §312, Dec. 23, 1985, 99 Stat. 1395, provided that: “Section 107 of the Agricultural Act of 1949 (7 U.S.C. 1445a) shall not be applicable to the 1986 through 1990 crops of wheat.”

Pub. L. 97-98, title III, §305, Dec. 22, 1981, 95 Stat. 1227, provided that: “Section 107 of the Agricultural Act of 1949 [this section] shall not be applicable to the 1982 through 1985 crops of wheat.”

Pub. L. 95-113, title IV, §409, Sept. 29, 1977, 91 Stat. 928, provided that: “Section 107 of the Agricultural Act of 1949, as amended [this section], shall not be applicable to the 1977 through 1981 crops of wheat.”

Pub. L. 95-113, title IV, §410, Sept. 29, 1977, 91 Stat. 928, provided that: “Except as otherwise provided in section 401 of this Act [enacting section 1445b(a)-(c) of this title effective only for the 1977 through 1981 crops of wheat], section 107 of the Agricultural Act of 1949, as added by the Agricultural Act of 1970, as amended [this section as amended by Pub. L. 91-524, as amended], to be effective only for the 1974 through 1977 crops of wheat, shall not be applicable to the 1977 crop of wheat.”

§§ 1445b, 1445b-1. Repealed. Pub. L. 101-624, title III, §301(1), Nov. 28, 1990, 104 Stat. 3382

Section 1445b, act Oct. 31, 1949, ch. 792, title I, §107A, as added Sept. 29, 1977, Pub. L. 95-113, title IV, §§401, 402, 91 Stat. 921, 924; amended Mar. 18, 1980, Pub. L. 96-213, §§3, 4(d), 94 Stat. 119, 120; Sept. 26, 1980, Pub. L. 96-365, title II, §201(d), 94 Stat. 1320; Dec. 3, 1980, Pub. L. 96-494, title II, §202(b), 94 Stat. 2570, related to loan rates and target prices for the 1977 through 1981 crops of wheat.

Section 1445b-1, act Oct. 31, 1949, ch. 792, title I, §107B, as added Dec. 22, 1981, Pub. L. 97-98, title III, §301, 95 Stat. 1221; Sept. 8, 1982, Pub. L. 97-253, title I, §§121, 122, 96 Stat. 768; amended Sept. 29, 1983, Pub. L. 98-100, §1(b), 97 Stat. 718; Apr. 10, 1984, Pub. L. 98-258, title I, §§101-103, 98 Stat. 130, 131, related to loan rates and target prices for 1982 through 1985 wheat crops.

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.

§ 1445b-2. Transferred

CODIFICATION

Section, act Oct. 31, 1949, ch. 792, title I, §107C, as added Sept. 8, 1982, Pub. L. 97-253, title I, §120, 96 Stat. 766, and amended, which related to advance deficiency and diversion payments, was renumbered section 114 of act Oct. 31, 1949, by Pub. L. 101-624, title XI, §1161(a)(1), Nov. 28, 1990, 104 Stat. 3520, and transferred to section 1445j of this title.

§ 1445b-3. Omitted

CODIFICATION

Section, act Oct. 31, 1949, ch. 792, title I, §107A, formerly §107D, as added Dec. 23, 1985, Pub. L. 99-198, title III, §308, 99 Stat. 1383; amended Feb. 28, 1986, Pub. L. 99-253, §1, 100 Stat. 36; Mar. 20, 1986, Pub. L. 99-260, §§2(a), 7(a), 100 Stat. 45, 50; Oct. 18, 1986, Pub. L. 99-500, §152, 100 Stat. 1783-352, and Oct. 30, 1986, Pub. L. 99-591, §152, 100 Stat. 3341-355; Nov. 10, 1986, Pub. L. 99-641, title II, §202, 100 Stat. 3563; May 27, 1987, Pub. L. 100-45, §2,

101 Stat. 318; Dec. 22, 1987, Pub. L. 100-203, title I, §§1101(a), 1102(a), 1111, 1113(a), 1201, 101 Stat. 1330-1, 1330-2, 1330-7, 1330-8, 1330-10; renumbered §107A, Nov. 28, 1990, Pub. L. 101-624, title III, §301(2), 104 Stat. 3382, related to loan rates and target prices. See Effective and Termination Dates note below.

A prior section 107A of act Oct. 31, 1949, ch. 792, title I, as added Sept. 29, 1977, Pub. L. 95-113, title IV, §§401, 402, 91 Stat. 921, 924, was classified to section 1445b of this title, prior to repeal by section 301(1) of Pub. L. 101-624.

EFFECTIVE AND TERMINATION DATES

Pub. L. 99-198, title III, §308, Dec. 23, 1985, 99 Stat. 1383, provided that this section is effective only for the 1986 through 1990 crops of wheat.

§ 1445b-3a. Repealed. Pub. L. 104-127, title I, § 171(b)(2)(D), Apr. 4, 1996, 110 Stat. 938

Section, act Oct. 31, 1949, ch. 792, title I, §107B, as added Nov. 28, 1990, Pub. L. 101-624, title III, §301(3), 104 Stat. 3382; amended Nov. 5, 1990, Pub. L. 101-508, title I, §§1101(a), 1102(a), 104 Stat. 1388-1; Dec. 13, 1991, Pub. L. 102-237, title I, §§102(d), 103(b), 106(d), 113(6), 105 Stat. 1822, 1823, 1826, 1837; Aug. 10, 1993, Pub. L. 103-66, title I, §1102, 107 Stat. 314; Oct. 13, 1994, Pub. L. 103-354, title I, §119(a)(5), 108 Stat. 3207, related to loans, payments, and acreage reduction programs for 1991 through 1995 crops of wheat.

§ 1445b-4. Transferred

CODIFICATION

Section, act Oct. 31, 1949, ch. 792, title I, §107E, as added Dec. 23, 1985, Pub. L. 99-198, title X, §1005, 99 Stat. 1448, and amended, which related to payments in commodities, was renumbered section 115 of act Oct. 31, 1949, by Pub. L. 101-624, title XI, §1161(a)(1), Nov. 28, 1990, 104 Stat. 3520, and transferred to section 1445k of this title.

§ 1445b-5. Repealed. Pub. L. 101-624, title XI, § 1161(a)(2), Nov. 28, 1990, 104 Stat. 3520

Section, act Oct. 31, 1949, ch. 792, title I, §107F, as added Dec. 23, 1985, Pub. L. 99-198, title X, §1006, 99 Stat. 1448, related to export certificate programs for 1986 through 1990 crops of wheat and feed grains.

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.

§§ 1445c, 1445c-1. Repealed. Pub. L. 101-624, title VIII, § 806(1), Nov. 28, 1990, 104 Stat. 3475

Section 1445c, act Oct. 31, 1949, ch. 792, title I, §108, as added Sept. 29, 1977, Pub. L. 95-113, title VIII, §807, 91 Stat. 947, related to price support program for 1978 through 1981 crops of peanuts.

Section 1445c-1, act Oct. 31, 1949, ch. 792, title I, §108A, as added Dec. 22, 1981, Pub. L. 97-98, title VII, §705, 95 Stat. 1254, related to price support program for 1982 through 1985 crops of peanuts.

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.

§ 1445c-2. Omitted

CODIFICATION

Section, act Oct. 31, 1949, ch. 792, title I, §108A, formerly §108B, as added Dec. 23, 1985, Pub. L. 99-198, title

VII, §705, 99 Stat. 1439; amended Oct. 18, 1986, Pub. L. 99-500, §101(a) [title VI, §639], 100 Stat. 1783, 1783-35, and Oct. 30, 1986, Pub. L. 99-591, §101(a) [title VI, §639], 100 Stat. 3341, 3341-35; Nov. 10, 1986, Pub. L. 99-641, title II, §203, 100 Stat. 3563; Dec. 22, 1987, Pub. L. 100-203, title I, §1104(b), 101 Stat. 1330-4; renumbered §108A, Nov. 28, 1990, Pub. L. 101-624, title VIII, §806(2), 104 Stat. 3475; Dec. 13, 1991, Pub. L. 102-237, title I, §117(b)(1)(A), 105 Stat. 1841, related to price support, loans, purchases, and other operations, and national average quota support rate. See Effective and Termination Dates note below.

EFFECTIVE AND TERMINATION DATES

Pub. L. 99-198, title VII, §705, Dec. 23, 1985, 99 Stat. 1439, provided that this section is effective only for the 1986 through 1990 crops of peanuts.

§ 1445c-3. Repealed. Pub. L. 104-127, title I, § 171(b)(2)(E), Apr. 4, 1996, 110 Stat. 938

Section, act Oct. 31, 1949, ch. 792, title I, §108B, as added Nov. 28, 1990, Pub. L. 101-624, title VIII, §806(3), 104 Stat. 3475; amended Nov. 5, 1990, Pub. L. 101-508, title I, §1105(b), 104 Stat. 1388-3; Dec. 13, 1991, Pub. L. 102-237, title I, §117(b)(1)(B), 105 Stat. 1841; Aug. 10, 1993, Pub. L. 103-66, title I, §1109(a), 107 Stat. 325, related to price support program for 1991 through 1997 crops of peanuts.

§ 1445d. Special wheat acreage grazing and hay program for 1978 through 1990 crop years

Notwithstanding any other provision of law—

(a) Authorization for program; acreage designation; payment

The Secretary is authorized to administer a special wheat acreage grazing and hay program (hereinafter in this section referred to as the "special program") in each of the crop years 1978 through 1990. If a special program is implemented, a producer shall be permitted to designate, under such regulations as established by the Secretary, a portion of the acreage on the farm intended to be planted to wheat, feed grains, or upland cotton for harvest, not in excess of 40 per centum thereof, or 50 acres, whichever is greater, which shall be planted to wheat (or some other commodity other than corn or grain sorghum) and used by the producer for grazing purposes or hay rather than for commercial grain production. A producer who elects to participate in the special program shall receive a payment as provided in subsection (c) of this section.

(b) Specific farm acreage

Any producer who elects to participate in the special program under this section shall designate the specific acreage on the farm which is to be used for the purposes set forth in subsection (a) of this section. No crop other than hay may be harvested from acreage included in the special program.

(c) Determination of payment

The Secretary shall pay the producer participating in the special program an amount determined by multiplying the farm program payment yield for wheat established for the farm, by the number of acres included in the special program, by a rate of payment determined by the Secretary to be fair and reasonable. The producer shall not be eligible for any other payment or price support on any portion of the