

Oct. 22, 1999, 113 Stat. 1177, 1178; Pub. L. 107-171, title I, §1611(a), May 13, 2002, 116 Stat. 218, related to lease or sale of acreage allotments.

Section 1314b-1, act Feb. 16, 1938, ch. 30, title III, §316A, as added Pub. L. 97-218, title II, §202, July 20, 1982, 96 Stat. 205; amended Pub. L. 98-180, title II, §207(a), Nov. 29, 1983, 97 Stat. 1148, related to mandatory sale of certain Flue-cured tobacco acreage allotments and marketing quotas.

Section 1314b-2, act Feb. 16, 1938, ch. 30, title III, §316B, as added Pub. L. 97-218, title III, §302, July 20, 1982, 96 Stat. 210; amended Pub. L. 98-180, title II, §207(b), Nov. 29, 1983, 97 Stat. 1148, related to mandatory sale of certain Burley tobacco acreage allotments and marketing quotas.

Section 1314c, act Feb. 16, 1938, ch. 30, title III, §317, as added Pub. L. 89-12, §1, Apr. 16, 1965, 79 Stat. 66; amended Pub. L. 91-284, §5, June 19, 1970, 84 Stat. 314; Pub. L. 97-218, title II, §§203, 205(a), 206(b), July 20, 1982, 96 Stat. 205-207; Pub. L. 98-180, title II, §§205(b), 208-210, Nov. 29, 1983, 97 Stat. 1147-1149; Pub. L. 99-182, §4, Dec. 13, 1985, 99 Stat. 1173; Pub. L. 99-241, §1, Jan. 30, 1986, 100 Stat. 3; Pub. L. 99-272, title I, §§1103(b), 1104(c), 1105(a)(1), Apr. 7, 1986, 100 Stat. 86, 89, 90; Pub. L. 100-203, title I, §1112(b), Dec. 22, 1987, 101 Stat. 1330-8; Pub. L. 101-134, §2(a)(2), Oct. 30, 1989, 103 Stat. 781; Pub. L. 103-66, title I, §1106(d)(2), Aug. 10, 1993, 107 Stat. 323; Pub. L. 103-437, §4(a)(5), Nov. 2, 1994, 108 Stat. 4581, related to acreage-poundage quotas.

Section 1314d, act Feb. 16, 1938, ch. 30, title III, §318, as added Pub. L. 90-51, §1, July 7, 1967, 81 Stat. 120; amended Pub. L. 90-387, July 5, 1968, 82 Stat. 293; Pub. L. 92-144, Oct. 23, 1971, 85 Stat. 393; Pub. L. 98-180, title II, §212(a), Nov. 29, 1983, 97 Stat. 1149; Pub. L. 102-566, §1, Oct. 28, 1992, 106 Stat. 4269; Pub. L. 106-224, title II, §204(b)(8), June 20, 2000, 114 Stat. 402, related to transfers involving fire-cured, dark air-cured, and Virginia sun-cured tobacco.

Section 1314e, act Feb. 16, 1938, ch. 30, title III, §319, as added Pub. L. 92-10, §1, Apr. 14, 1971, 85 Stat. 23; amended Pub. L. 97-218, title III, §303(b)-(j), July 20, 1982, 96 Stat. 211-214; Pub. L. 98-59, §2, July 25, 1983, 97 Stat. 296; Pub. L. 98-180, title II, §211, Nov. 29, 1983, 97 Stat. 1149; Pub. L. 99-241, §2, Jan. 30, 1986, 100 Stat. 3; Pub. L. 99-272, title I, §§1103(c), 1104(b), (d), 1105(a)(2), 1107, Apr. 7, 1986, 100 Stat. 86, 89-91; Pub. L. 100-387, title III, §304(a)(1), Aug. 11, 1988, 102 Stat. 948; Pub. L. 101-134, §2(a)(1), Oct. 30, 1989, 103 Stat. 781; Pub. L. 101-577, §2(a), (b), (d), (e), Nov. 15, 1990, 104 Stat. 2856, 2857; Pub. L. 102-237, title I, §116(1), Dec. 13, 1991, 105 Stat. 1840; Pub. L. 103-66, title I, §1106(d)(1), Aug. 10, 1993, 107 Stat. 323; Pub. L. 106-78, title VII, §755(a), Oct. 22, 1999, 113 Stat. 1170; Pub. L. 106-224, title II, §204(b)(9)-(12), June 20, 2000, 114 Stat. 403; Pub. L. 108-7, div. A, title VII, §765(a), Feb. 20, 2003, 117 Stat. 47, related to farm poundage quotas for certain kinds of tobacco.

Section 1314f, act Feb. 16, 1938, ch. 30, title III, §320, as added Pub. L. 93-411, Sept. 3, 1974, 88 Stat. 1089; amended Pub. L. 95-592, §17, Nov. 4, 1978, 92 Stat. 2534; Pub. L. 97-98, title XI, §1108, Dec. 22, 1981, 95 Stat. 1266; Pub. L. 97-218, title II, §204, July 20, 1982, 96 Stat. 206, related to nonquota tobacco subject to quota.

Section 1314g, act Feb. 16, 1938, ch. 30, title III, §320A, as added Pub. L. 99-272, title I, §1103(d), Apr. 7, 1986, 100 Stat. 88, related to submission of purchase intentions by cigarette manufacturers.

Section 1314h, act Feb. 16, 1938, ch. 30, title III, §320B, as added Pub. L. 99-272, title I, §1106(a), Apr. 7, 1986, 100 Stat. 90; amended Pub. L. 108-357, title VI, §613, Oct. 22, 2004, 118 Stat. 1524, related to purchase requirements and penalty for failure to meet them.

Section 1314i, act Feb. 16, 1938, ch. 30, title III, §320C, as added Pub. L. 103-66, title I, §1106(a), Aug. 10, 1993, 107 Stat. 318; amended Pub. L. 103-465, title IV, §422(a), Dec. 8, 1994, 108 Stat. 4964, related to quantity of tobacco grown in the United States that is required to be used by a cigarette manufacturer.

Section 1314j, act Feb. 16, 1938, ch. 30, title III, §320D, as added Pub. L. 106-47, §1, Aug. 13, 1999, 113 Stat. 228, and Pub. L. 106-78, title VII, §755(b), Oct. 22, 1999, 113

Stat. 1170; amended Pub. L. 106-113, div. B, §1000(a)(5) [title II, §211], Nov. 29, 1999, 113 Stat. 1536, 1501A-295, related to release of tobacco production and marketing information.

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 this subpart 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.

TOBACCO DEFINITION AND INCREASE OF MARKETING QUOTAS AND ACREAGE ALLOTMENTS TO MEET DEMAND UNAFFECTED BY ACREAGE-POUNDAGE MARKETING QUOTAS AND PRICE SUPPORT PROVISIONS

Pub. L. 89-12, §4, Apr. 16, 1965, 79 Stat. 72, which provided that nothing in the Act could be construed as affecting the authority or responsibility of the Secretary of Agriculture under former sections 1301(b)(15) or 1313(i) of this title with respect to providing that different types of tobacco were to be treated as different kinds of tobacco, or with respect to increasing allotments or quotas for farms producing certain types of tobacco, was repealed by Pub. L. 108-357, title VI, §611(n), 643, Oct. 22, 2004, 118 Stat. 1523, 1536, applicable to the 2005 and subsequent crops of tobacco.

§ 1315. Repealed. Pub. L. 108-357, title VI, § 611(o), Oct. 22, 2004, 118 Stat. 1523

Section, acts July 12, 1952, ch. 709, 66 Stat. 597; Mar. 31, 1955, ch. 21, §2, 69 Stat. 24, related to additional Burley tobacco acreage allotments.

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 this section 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.

§ 1316. Repealed. Pub. L. 108-357, title VI, § 611(p), Oct. 22, 2004, 118 Stat. 1523

Section, Pub. L. 89-321, title VII, §703, Nov. 3, 1965, 79 Stat. 1210; Pub. L. 91-284, §6, June 19, 1970, 84 Stat. 314; Pub. L. 97-218, title II, §205(b), July 20, 1982, 96 Stat. 206, related to transfer of allotments subsequent to 1965.

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 this section 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.

SUBPART II—ACREAGE ALLOTMENTS—CORN

AMENDMENTS

1954—Act Aug. 28, 1954, ch. 1041, title III, §303, 68 Stat. 902, substituted “Acreage Allotments—Corn” for “Marketing Quotas—Corn” in subpart II heading.

§ 1321. Legislative finding of effect on interstate and foreign commerce and necessity of regulation

Corn is a basic source of food for the Nation, and corn produced in the commercial corn-pro-

ducing area moves almost wholly in interstate and foreign commerce in the form of corn, livestock, and livestock products.

Abnormally excessive and abnormally deficient supplies of corn acutely and directly affect, burden, and obstruct interstate and foreign commerce in corn, livestock, and livestock products. When abnormally excessive supplies exist, transportation facilities in interstate and foreign commerce are overtaxed, and the handling and processing facilities through which the flow of interstate and foreign commerce in corn, livestock, and livestock products is directed become acutely congested. Abnormally deficient supplies result in substantial decreases in livestock production and in an inadequate flow of livestock and livestock products in interstate and foreign commerce, with the consequence of unreasonably high prices to consumers.

Violent fluctuations from year to year in the available supply of corn disrupt the balance between the supply of livestock and livestock products moving in interstate and foreign commerce and the supply of corn available for feeding. When available supplies of corn are excessive, corn prices are low and farmers overexpand livestock production in order to find outlets for corn. Such expansion, together with the relative scarcity and high price of corn, forces farmers to market abnormally excessive supplies of livestock in interstate commerce at sacrifice prices, endangering the financial stability of producers, and overtaxing handling and processing facilities through which the flow of interstate and foreign commerce in livestock and livestock products is directed. Such excessive marketings deplete livestock on farms, and livestock marketed in interstate and foreign commerce consequently becomes abnormally low, with resultant high prices to consumers and danger to the financial stability of persons engaged in transporting, handling, and processing livestock in interstate and foreign commerce. These high prices in turn result in another overexpansion of livestock production.

Recurring violent fluctuations in the price of corn resulting from corresponding violent fluctuations in the supply of corn directly affect the movement of livestock in interstate commerce from the range cattle regions to the regions where livestock is fattened for market in interstate and foreign commerce, and also directly affect the movement in interstate commerce of corn marketed as corn which is transported from the regions where produced to the regions where livestock is fattened for market in interstate and foreign commerce.

Substantially all the corn moving in interstate commerce, substantially all the corn fed to livestock transported in interstate commerce for fattening, and substantially all the corn fed to livestock marketed in interstate and foreign commerce, is produced in the commercial corn-producing area. Substantially all the corn produced in the commercial corn-producing area, with the exception of a comparatively small amount used for farm consumption, is either sold or transported in interstate commerce, or is fed to livestock transported in interstate commerce for feeding, or is fed to livestock marketed in interstate and foreign commerce. Al-

most all the corn produced outside the commercial corn-producing area is either consumed, or is fed to livestock which is consumed, in the State in which such corn is produced.

The conditions affecting the production and marketing of corn and the livestock products of corn are such that, without Federal assistance, farmers, individually or in cooperation, cannot effectively prevent the recurrence of disparities between the supplies of livestock moving in interstate and foreign commerce and the supply of corn available for feeding, and provide for orderly marketing of corn in interstate and foreign commerce and livestock and livestock products in interstate and foreign commerce.

The national public interest requires that the burdens on interstate and foreign commerce above described be removed by the exercise of Federal power. By reason of the administrative and physical impracticability of regulating the movement of livestock and livestock products in interstate and foreign commerce and the inadequacy of any such regulation to remove such burdens, such power can be feasibly exercised only by providing for the withholding from market of excessive and burdensome supplies of corn in times of excessive production, and providing a reserve supply of corn available for market in times of deficient production, in order that a stable and continuous flow of livestock and livestock products in interstate and foreign commerce may at all times be assured and maintained.

(Feb. 16, 1938, ch. 30, title III, §321, 52 Stat. 48.)

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(a)(1) 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(a)(1) 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(a)(1) of this title.

Section inapplicable to 1996 through 2001 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(a)(1)(A) of this title.

§ 1322. Repealed. Aug. 28, 1954, ch. 1041, title III, § 304, 68 Stat. 902

Section, acts Feb. 16, 1938, ch. 30, title III, §322, 52 Stat. 49; July 3, 1948, ch. 827, title II, §203, 62 Stat. 1255; Oct. 31, 1949, ch. 792, title IV, §409(e), 63 Stat. 1057, related to establishment, referendum, and suspension of farm marketing quotas.

§ 1322a. Repealed. July 3, 1948, ch. 827, title II, § 203(b), 62 Stat. 1256

Section, act July 26, 1939, ch. 378, 53 Stat. 1125, related to time for proclamation of referendum.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 1, 1950, see section 303 of act July 3, 1948, set out as a note under section 1301 of this title.