

price or the Commodity Credit Corporation's investment therein as of the date of such barter, as determined by the Secretary of Agriculture.

(b) The quantity of any commodity in the commodity set-aside shall be reduced to the extent that the Commodity Credit Corporation inventory of such commodity is reduced, by natural or other cause beyond the control of the Corporation, below the quantity then charged to the commodity set-aside.

(Aug. 28, 1954, ch. 1041, title I, § 103, 68 Stat. 897; Pub. L. 96-41, § 3(a)(1), July 30, 1979, 93 Stat. 324; Pub. L. 110-246, title III, § 3001(c), June 18, 2008, 122 Stat. 1821.)

#### REFERENCES IN TEXT

The Strategic and Critical Materials Stock Piling Act, referred to in subsec. (a), is act June 7, 1939, ch. 190, as revised generally by Pub. L. 96-41, § 2, July 30, 1979, 93 Stat. 319, which is classified generally to subchapter III (§ 98 et seq.) of chapter 5 of Title 50, War and National Defense. For complete classification of this Act to the Code, see section 98 of Title 50 and Tables.

#### AMENDMENTS

1979—Subsec. (a). Pub. L. 96-41 substituted “the National Defense Stockpile established by the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.)” for “the national stockpile established pursuant to the Act of June 7, 1939, as amended,” in par. (4), and in the provisions following par. (7) substituted “the National Defense Stockpile established by the Strategic and Critical Materials Stock Piling Act” for “the national stockpile established pursuant to the Act of June 7, 1939, as amended,” and “funds appropriated for the purposes of that Act” for “funds appropriated pursuant to section 8 of such Act of June 7, 1939”.

#### CHANGE OF NAME

Technical change in meaning of reference in original act which appears in subsec. (a)(1) as reference to subchapter III of chapter 41 of this title and in subsec. (a)(2) as reference to subchapter II of chapter 41 of this title was directed by section 3001(c) of Pub. L. 110-246, set out as a note under section 1691 of this title.

#### EXECUTIVE ORDER NO. 10601

Ex. Ord. No. 10601, Mar. 21, 1955, 20 F.R. 1761, as amended by Ex. Ord. No. 10773, July 1, 1958, 23 F.R. 5061; Ex. Ord. No. 10782, Sept. 6, 1958, 23 F.R. 6971; Ex. Ord. No. 11051, Sept. 27, 1962, 27 F.R. 9683; Ex. Ord. No. 12148, July 20, 1979, 44 F.R. 43239, which provided for administration of the commodity set-aside program, was revoked by Ex. Ord. No. 12553, Feb. 25, 1986, 51 F.R. 7237.

### § 1744. Sale of commodities in set-aside; exemption from pricing limitations

(a) The Corporation shall have authority to sell, without regard to section 1743(a)(7) of this title, any commodity covered by the commodity set-aside for the purpose of rotating stocks or consolidating inventories, any such sale to be offset by purchase of the same commodity in a substantially equivalent quantity or of a substantially equivalent value.

(b) Dispositions pursuant to this chapter shall not be subject to the pricing limitations of section 1427 of this title.

(Aug. 28, 1954, ch. 1041, title I, § 104, 68 Stat. 898.)

### § 1745. Computation of carryover

The quantity of any commodity in the commodity set-aside or transferred from the set-

aside to the National Defense Stockpile established by the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.) shall be excluded from the computation of “carryover” for the purpose of determining the price support level for such commodity under the Agricultural Act of 1949, as amended [7 U.S.C. 1421 et seq.], and related legislation, but shall be included in the computation of total supplies for purposes of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended [7 U.S.C. 1281 et seq.], and related legislation. Until such time as the commodity set-aside has been completed, such quantity of the commodity as the Secretary shall determine between the maximum and minimum quantities specified in section 1741 of this title shall be excluded from the computations of “carryover” for the purpose of determining the price support level, but shall be included in the computation of total supplies for purposes of acreage allotments and marketing quotas, for the 1955 crop of the commodity, notwithstanding that the quantity so excluded may not have been acquired by the Corporation and included in the commodity set-aside.

(Aug. 28, 1954, ch. 1041, title I, § 105, 68 Stat. 898; Pub. L. 96-41, § 3(a)(2), July 30, 1979, 93 Stat. 324.)

#### REFERENCES IN TEXT

The Strategic and Critical Materials Stock Piling Act, referred to in text, is act June 7, 1939, ch. 190, as revised generally by Pub. L. 96-41, § 2, July 30, 1979, 93 Stat. 319, which is classified generally to subchapter III (§ 98 et seq.) of chapter 5 of Title 50, War and National Defense. For complete classification of this Act to the Code, see section 98 of Title 50 and Tables.

The Agricultural Act of 1949, referred to in text, is act Oct. 31, 1949, ch. 792, 63 Stat. 1051, as amended, which is classified principally to chapter 35A (§ 1421 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note under section 1421 of this title and Tables.

The Agricultural Adjustment Act of 1938, referred to in text, is act Feb. 16, 1938, ch. 30, 52 Stat. 31, as amended, 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.

#### AMENDMENTS

1979—Pub. L. 96-41 substituted “the National Defense Stockpile established by the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.)” for “the national stockpile established pursuant to the act of June 7, 1939, as amended”.

### § 1746. Records and accounts

The Commodity Credit Corporation shall keep such records and accounts as may be necessary to show, for each commodity set-aside, the initial and current composition, value (in accordance with section 1742 of this title), current investment, quantity disposed of, method of disposition, and amounts received on disposition.

(Aug. 28, 1954, ch. 1041, title I, § 106, 68 Stat. 898.)

### § 1747. Authorization of appropriations; determination of value of transferred commodity

In order to make payment to the Commodity Credit Corporation for any commodities transferred to the national stockpile pursuant to sec-