

- (A) type, class, and quantity of the commodity sought to be exported;
- (B) the marketing year of shipment; and
- (C) destination, if known.

**(2) Confidentiality and compilation of reports**

Individual reports shall remain confidential but shall be compiled by the Secretary and published in compilation form each week following the week of reporting.

**(3) Immediate reporting**

All exporters of agricultural commodities produced in the United States shall, upon request of the Secretary, immediately report to the Secretary any information with respect to export sales of agricultural commodities and at such times as the Secretary may request. When the Secretary requires that such information be reported by exporters on a daily basis, the information compiled from individual reports shall be made available to the public daily.

**(4) Monthly reporting permitted**

The Secretary may, with respect to any commodity or type or class thereof during any period in which the Secretary determines that—

- (A) there is a domestic supply of such commodity substantially in excess of the quantity needed to meet domestic requirements,
- (B) total supplies of such commodity in the exporting countries are estimated to be in surplus,
- (C) anticipated exports will not result in excessive drain on domestic supplies, and
- (D) to require the reports to be made will unduly hamper export sales,

provide for such reports by exporters and publishing of such data to be on a monthly basis rather than on a weekly basis.

**(b) Failure to report**

Any person who knowingly fails to make any report required under this section shall be fined not more than \$25,000 or imprisoned for not more than 1 year, or both.

**(c) Contract sanctity**

Notwithstanding any other provision of law, the President shall not prohibit or curtail the export of any agricultural commodity under an export sales contract—

- (1) that is entered into before the President announces an action that would otherwise prohibit or curtail the export of the commodity, and
- (2) the terms of which require delivery of the commodity within 270 days after the date of the suspension of trade is imposed,

except that the President may prohibit or curtail the export of any agricultural commodity during a period for which the President has declared a national emergency or for which the Congress has declared war.

(Pub. L. 95-501, title VI, § 602, as added Pub. L. 101-624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3688; amended Pub. L. 102-237, title III, § 327, Dec. 13, 1991, 105 Stat. 1858; Pub. L. 106-78, title IX, § 921, Oct. 22, 1999, 113 Stat. 1206; Pub. L. 111-239, § 2(c), Sept. 27, 2010, 124 Stat. 2502.)

AMENDMENT OF SECTION

*For termination of amendment by section 942 of Pub. L. 106-78, see Termination Date of 1999 Amendment note below.*

PRIOR PROVISIONS

A prior section 602 of Pub. L. 95-501 enacted section 1765b-1 of this title prior to the complete revision of Pub. L. 95-501 by Pub. L. 101-624.

AMENDMENTS

2010—Subsec. (a)(1). Pub. L. 111-239 substituted “cotton, pork,” for “cotton.”

1999—Subsec. (a)(1). Pub. L. 106-78, §§ 921, 942, temporarily inserted “, beef,” after “cotton” in introductory provisions. See Termination Date of 1999 Amendment note below.

1991—Subsec. (a)(1). Pub. L. 102-237, § 327(1), substituted “designate produced” for “designate as produced” in introductory provisions.

Subsec. (a)(2). Pub. L. 102-237, § 327(2), struck out “in accordance with subsection (c)” after “shall remain confidential”.

TERMINATION DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106-78 to terminate Sept. 30, 2020, see section 942 of Pub. L. 106-78, as amended, set out in a Livestock Mandatory Reporting note under section 1635 of this title.

**§ 5713. Repealed. Pub. L. 113-188, title I, § 101(d), Nov. 26, 2014, 128 Stat. 2017**

Section, Pub. L. 95-501, title VI, § 603, as added Pub. L. 101-624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3689; amended Pub. L. 104-127, title II, §§ 241(c)(2), 251, Apr. 4, 1996, 110 Stat. 964, 971; Pub. L. 110-246, title III, § 3001(b)(1)(A), (2)(K), June 18, 2008, 122 Stat. 1820, required quarterly reports specifying the cumulative amount of export assistance provided by the Commodity Credit Corporation and the Secretary under certain programs.

SUBCHAPTER VII—FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM

**§ 5721. “Eligible trade organization” defined**

In this subchapter, the term “eligible trade organization” means a United States trade organization that—

- (1) promotes the export of 1 or more United States agricultural commodities or products; and
- (2) does not have a business interest in or receive remuneration from specific sales of agricultural commodities or products.

(Pub. L. 95-501, title VII, § 701, as added Pub. L. 104-127, title II, § 252, Apr. 4, 1996, 110 Stat. 971.)

**§ 5722. Foreign market development cooperator program**

**(a) In general**

The Secretary shall establish and, in cooperation with eligible trade organizations, carry out a foreign market development cooperator program to maintain and develop foreign markets for United States agricultural commodities and products, with a continued significant emphasis on the importance of the export of value-added United States agricultural products into emerging markets.

**(b) Administration**

Funds made available to carry out this subchapter shall be used only to provide—