

REFERENCES IN TEXT

The Federal Crop Insurance Act, referred to in subsec. (c)(5), is subtitle A of title V of act Feb. 16, 1938, ch. 30, 52 Stat. 72, which is classified generally to subchapter I (§1501 et seq.) of chapter 36 of this title. For complete classification of this Act to the Code, see section 1501 of this title and Tables.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334, §1107(1), in introductory provisions, inserted “(beginning with the 2019 crop year, based on the physical location of the farm)” after “payments” and “or the 2019 through 2023 crop years, as applicable” after “the 2014 through 2018 crop years”.

Subsec. (c)(2)(A). Pub. L. 115-334, §1107(2)(A)(i), substituted “paragraphs (4) and (5)” for “paragraph (4)”.

Subsec. (c)(2)(B). Pub. L. 115-334, §1107(2)(A)(ii), substituted “paragraph (6)” for “paragraph (5)”.

Subsec. (c)(3)(A)(ii). Pub. L. 115-334, §1107(2)(B)(i), substituted “paragraph (6)” for “paragraph (5)”.

Subsec. (c)(3)(C). Pub. L. 115-334, §1107(2)(B)(ii), substituted “2023” for “2018”.

Subsec. (c)(4). Pub. L. 115-334, §1107(2)(C), designated existing provisions as subpar. (A), inserted heading, substituted “Effective for the 2014 through 2018 crop years, if” for “If”, and added subpar. (B).

Subsec. (c)(5). Pub. L. 115-334, §1107(2)(E), added par. (5). Former par. (5) redesignated (6).

Subsec. (c)(6). Pub. L. 115-334, §1107(2)(D), (F), redesignated par. (5) as (6), substituted “Low national average market price” for “Reference price” in par. heading, designated existing provisions as subpar. (A), inserted subpar. heading, substituted “For the 2014 through 2018 crop years, if the national average market price” for “If the national average market price”, and added subpar. (B).

Subsec. (d). Pub. L. 115-334, §1107(3), designated existing provisions as par. (1) and inserted heading, redesignated former par. (1) and subpars. (A) and (B) thereof as subpar. (A) and cls. (i) and (ii) thereof, respectively, redesignated former par. (2) as subpar. (B), realigned margins, and added par. (2).

Subsec. (e). Pub. L. 115-334, §1107(4), substituted “2023” for “2018” in introductory provisions.

Subsec. (g)(2). Pub. L. 115-334, §1107(5)(A), struck out “to the maximum extent practicable,” before “calculate”.

Subsec. (g)(4). Pub. L. 115-334, §1107(5)(C), inserted “effective for the 2014 through 2018 crop years,” before “in the case of” in introductory provisions and substituted “; and” for period at end.

Subsec. (g)(5). Pub. L. 115-334, §1107(5)(B), (D), added par. (5).

Subsecs. (h), (i). Pub. L. 115-334, §1107(6), added subsecs. (h) and (i).

§ 9018. Producer agreements**(a) Compliance with certain requirements****(1) Requirements**

Before the producers on a farm may receive payments under this subchapter with respect to the farm, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary; and

(D) to use the land on the farm, in a quantity equal to the attributable base acres for the farm and any base acres for an agricultural or conserving use, and not for a non-agricultural commercial, industrial, or residential use, as determined by the Secretary.

(2) Compliance

The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) Modification

At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) Transfer or change of interest in farm**(1) Termination****(A) In general**

Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which payments under this subchapter are provided shall result in the termination of the payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) Effective date

The termination shall take effect on the date determined by the Secretary.

(2) Exception

If a producer entitled to a payment under this subchapter dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment in accordance with rules issued by the Secretary.

(c) Acreage reports

As a condition on the receipt of any benefits under this subchapter or subchapter II, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(d) Production reports

As an additional condition on receiving agriculture risk coverage payments for individual coverage, the Secretary shall require a producer on a farm to submit to the Secretary annual production reports with respect to all covered commodities produced on all farms in the same State—

(1) in which the producer has an interest; and

(2) for which individual coverage has been selected.

(e) Effect of inaccurate reports

No penalty with respect to benefits under this subchapter or subchapter II shall be assessed against a producer on a farm for an inaccurate acreage or production report unless the Secretary determines that the producer on the farm knowingly and willfully falsified the acreage or production report.

(f) Tenants and sharecroppers

In carrying out this subchapter, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(g) Sharing of payments

The Secretary shall provide for the sharing of payments made under this subchapter among the producers on a farm on a fair and equitable basis.

(Pub. L. 113–79, title I, §1118, Feb. 7, 2014, 128 Stat. 672.)

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (a)(1), (b)(1)(A), (2), (c), and (e) to (g), was in the original “this subtitle”, meaning subtitle A (§§1101–1109) of title I of Pub. L. 113–79, Feb. 7, 2014, 128 Stat. 658, which is classified principally to this subchapter. For complete classification of subtitle A to the Code, see Tables.

The Food Security Act of 1985, referred to in subsec. (a)(1)(A), (B), is Pub. L. 99–198, Dec. 23, 1985, 99 Stat. 1354. Subtitles B and C of title XII of the Act are classified generally to subchapters II (§3811 et seq.) and III (§3821 et seq.), respectively, of chapter 58 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of this title and Tables.

§ 9019. Repealed. Pub. L. 115–334, title I, § 1108, Dec. 20, 2018, 132 Stat. 4508

Section, Pub. L. 113–79, title I, §1119, Feb. 7, 2014, 128 Stat. 673, related to transition assistance for producers of upland cotton.

SUBCHAPTER II—MARKETING LOANS

§ 9031. Availability of nonrecourse marketing assistance loans for loan commodities**(a) Definition of loan commodity**

In this subchapter, the term “loan commodity” means wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, long grain rice, medium grain rice, peanuts, soybeans, other oilseeds, graded wool, nongraded wool, mohair, honey, dry peas, lentils, small chickpeas, and large chickpeas.

(b) Nonrecourse loans available**(1) In general**

For each of the 2014 through 2023 crops of each loan commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm.

(2) Terms and conditions

The marketing assistance loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under section 9032 of this title for the loan commodity.

(c) Eligible production

The producers on a farm shall be eligible for a marketing assistance loan under subsection (b) for any quantity of a loan commodity produced on the farm.

(d) Compliance with conservation and wetlands requirements

As a condition of the receipt of a marketing assistance loan under subsection (b), the producer shall comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wetland protection requirements

under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.) during the term of the loan.

(e) Special rules for peanuts**(1) In general**

This subsection shall apply only to producers of peanuts.

(2) Options for obtaining loan

A marketing assistance loan under this section, and loan deficiency payments under section 9035 of this title, may be obtained at the option of the producers on a farm through—

(A) a designated marketing association or marketing cooperative of producers that is approved by the Secretary; or

(B) the Farm Service Agency.

(3) Storage of loan peanuts

As a condition on the approval by the Secretary of an individual or entity to provide storage for peanuts for which a marketing assistance loan is made under this section, the individual or entity shall agree—

(A) to provide the storage on a nondiscriminatory basis; and

(B) to comply with such additional requirements as the Secretary considers appropriate to accomplish the purposes of this section and promote fairness in the administration of the benefits of this section.

(4) Storage, handling, and associated costs**(A) In general**

To ensure proper storage of peanuts for which a loan is made under this section, the Secretary shall pay handling and other associated costs (other than storage costs) incurred at the time at which the peanuts are placed under loan, as determined by the Secretary.

(B) Redemption and forfeiture

The Secretary shall—

(i) require the repayment of handling and other associated costs paid under subparagraph (A) for all peanuts pledged as collateral for a loan that is redeemed under this section; and

(ii) pay storage, handling, and other associated costs for all peanuts pledged as collateral that are forfeited under this section.

(5) Marketing

A marketing association or cooperative may market peanuts for which a loan is made under this section in any manner that conforms to consumer needs, including the separation of peanuts by type and quality.

(6) Reimbursable agreements and payment of administrative expenses

The Secretary may implement any reimbursable agreements or provide for the payment of administrative expenses under this subsection only in a manner that is consistent with those activities in regard to other loan commodities.

(Pub. L. 113–79, title I, §1201, Feb. 7, 2014, 128 Stat. 674; Pub. L. 115–334, title I, §1201(a), Dec. 20, 2018, 132 Stat. 4509.)