

Sec.

SUBCHAPTER IV—GENERAL PROVISIONS

PART A—PROGRAM CONTROLS

5661. Program controls for export programs.
 5662. Compliance provisions.
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SUBCHAPTER VII—FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM

- 5721 to 5722. Repealed.

Editorial Notes

CODIFICATION

The Agricultural Trade Act of 1978, comprising this chapter, was originally enacted as Pub. L. 95-501, Oct. 21, 1978, 92 Stat. 1685, which enacted sections 1707b to 1707d, 1765a to 1765h, 1769, and 2211a of this title, amended sections 1707a, 1761, 1762, 1764, 1765, and 1766b of this title and section 5314 of Title 5, Government Organization and Employees, redesignated sections 1762(d), (f), and 1763 as sections 1766a to 1766c of this title, and enacted provisions set out as notes under sections 612c-3, 1761, and 2211a of this title and section 2431 of Title 19, Customs Duties. The Act is shown herein, however, as having been added by Pub. L. 101-624, title XV, §1531, Nov. 28, 1990, 104 Stat. 3668, because of the extensive amendments, renumbering, reorganization of subject matter, and expansion of the basic Act's provisions by Pub. L. 101-624.

SUBCHAPTER I—GENERAL PROVISIONS

§ 5601. Purpose

It is the purpose of this chapter to increase the profitability of farming and to increase opportunities for United States farms and agricultural enterprises by—

- (1) increasing the effectiveness of the Department of Agriculture in agricultural export policy formulation and implementation;
- (2) improving the competitiveness of United States agricultural commodities and products in the world market; and

(3) providing for the coordination and efficient implementation of all agricultural export programs.

(Pub. L. 95-501, title I, §101, as added Pub. L. 101-624, title XV, §1531, Nov. 28, 1990, 104 Stat. 3669.)

Editorial Notes

PRIOR PROVISIONS

A prior section 101 of Pub. L. 95-501 amended section 1707a of this title prior to the complete revision of Pub. L. 95-501 by Pub. L. 101-624.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 1994 AMENDMENT

Pub. L. 103-465, title IV, §411(a)(1), Dec. 8, 1994, 108 Stat. 4962, provided that: "This subsection [amending section 5651 of this title] may be cited as the 'Export Enhancement Program Amendments of 1994'."

SHORT TITLE

Pub. L. 95-501, §1, as added by Pub. L. 101-624, title XV, §1531, Nov. 28, 1990, 104 Stat. 3669, provided that: "This Act [enacting this chapter] may be cited as the 'Agricultural Trade Act of 1978'."

§ 5602. Definitions

As used in this chapter—

(1) Agricultural commodity

The term "agricultural commodity" means any agricultural commodity, food, feed, fiber, or livestock (including livestock as it is defined in section 1471(2) of this title and insects), and any product thereof.

(2) Developing country

The term "developing country" means a country that—

(A) has a shortage of foreign exchange earnings and has difficulty accessing sufficient commercial credit to meet all of its food needs, as determined by the Secretary; and

(B) has the potential to become a commercial market for agricultural commodities.

(3) Secretary

The term "Secretary" means the Secretary of Agriculture.

(4) Service

The term "Service" means the Foreign Agricultural Service of the Department of Agriculture.

(5) Unfair trade practice**(A) In general**

Subject to subparagraph (B), the term "unfair trade practice" means any act, policy, or practice of a foreign country that—

(i) violates, or is inconsistent with, the provisions of, or otherwise denies benefits to the United States under, any trade agreement to which the United States is a party;

(ii) in the case of a monopolistic state trading enterprise engaged in the export sale of an agricultural commodity, implements a pricing practice that is inconsistent with sound commercial practice;