

(d) *Stay of action.* During the pendency of any judicial review, or any appeal therefrom, the administrative action under review shall remain in force unless the firm makes a timely application to the court and after hearing thereon, the court stays the administrative action after a showing that irreparable injury will occur absent a stay and that the firm is likely to prevail on the merits of the case. However, permanent disqualification actions taken in accordance with §278.6(e)(1) of this chapter shall not be subject to such a stay of administrative action. If the disqualification action is reversed through administrative or judicial review, the Secretary shall not be liable for the value of any sales lost during the disqualification period.

[Am. 136, 43 FR 43279, Sept. 22, 1978, as amended by Am. 274, 51 FR 18752, May 21, 1986; Am. 356, 59 FR 29714, June 9, 1994; 64 FR 23174, Apr. 30, 1999. Redesignated and amended at 68 FR 41053, July 10, 2003; Am. 397, 70 FR 72354, Dec. 5, 2005]

§ 279.8 Implementation of amendments relating to administrative and judicial review.

(a) *Amendment No. 257.* The program change to §279.3(a)(4) shall be effective September 14, 1984.

(b) *Amendment No. 274.* The program change of *Amendment No. 274* at §279.10(d) is effective retroactively to December 23, 1985.

(c) *Amendment No. 334.* The program changes made to part 279 by this amendment are effective February 1, 1992.

[Am. 257, 49 FR 32539, Aug. 15, 1984; Am. 262, 49 FR 50598, Dec. 31, 1984, as amended by Am. 274, 51 FR 18752, May 21, 1986; Am. 334, 57 FR 3913, Feb. 3, 1992. Redesignated at 68 FR 41053, July 10, 2003]

PART 280—EMERGENCY FOOD ASSISTANCE FOR VICTIMS OF DISASTERS

AUTHORITY: 7 U.S.C. 2011–2036.

EDITORIAL NOTE: OMB control numbers relating to this part 280 are contained in §271.8.

§ 280.1 Interim disaster procedures.

The Secretary shall, after consultation with the official empowered to ex-

ercise the authority provided for by section 302(a) of the Disaster Relief Act of 1974, establish temporary emergency standards of eligibility for the duration of the emergency for households who are victims of a disaster which disrupts commercial channels of food distribution, if such households are in need of temporary food assistance and if commercial channels of food distribution have again become available to meet the temporary food needs of such households. Such standards as are prescribed for individual emergencies may be promulgated without regard to section 4(c) of this Act or the procedures set forth in section 553 of Title 5 of the United States Code. In addition to establishing temporary emergency standards of eligibility, the Secretary shall provide for emergency allotments to eligible households to replace food destroyed in a disaster. Such emergency allotments would be equal to the value of the food actually lost in such disaster but not greater than the applicable maximum monthly allotment for the household size. The Secretary may also approve alternate methods for issuing SNAP benefits during a disaster when reliance on Electronic Benefits Transfer (EBT) systems is impracticable.

[Am. 192, 46 FR 8922, Jan. 27, 1981, as amended by Am. 338, 56 FR 63617, Dec. 4, 1991; Am. 397, 70 FR 72354, Dec. 5, 2005]

PART 281—ADMINISTRATION OF SNAP ON INDIAN RESERVATIONS

Sec.

- 281.1 General purpose and scope.
- 281.2 Administration.
- 281.3 Determination of failure.
- 281.4 Determining Indian tribal organization capability.
- 281.5 Responsibilities of an Indian tribal organization designated as State agency.
- 281.6 Liabilities and sanctions.
- 281.7 Indian tribal organization failure.
- 281.8 Transfer of program administration.
- 281.9 Funding.
- 281.10 Appeals.

AUTHORITY: 7 U.S.C. 2011–2036.

SOURCE: 44 FR 35925, June 19, 1979, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 281 appear at 78 FR 11972, Feb. 21, 2013.