

Subsec. (b)(15). Act Nov. 22, 1940, §§1, 4, among other changes substituted "Fire-cured tobacco comprising types 21, 22, 23, and 24; Dark air-cured tobacco comprising types 35 and 36" for "Fire-cured and dark air cured tobacco comprising types 21, 22, 23, 24, 35, 36, and 37" and inserted proviso at end of last sentence.

1938—Subsec. (b)(13). Act Apr. 7, 1938, substituted "county" for "farm" in subpars. (A) and (B) and added subpar. (E).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-357 applicable to the 2005 and subsequent crops of tobacco, see section 643 of Pub. L. 108-357, set out as an Effective Date note under section 518 of this title.

EFFECTIVE DATE OF 1975 AMENDMENT

Pub. L. 94-61, §2, July 25, 1975, 89 Stat. 302, provided that: "The amendment made by the first section of this Act [amending this section] shall become effective June 1, 1975".

EFFECTIVE AND TERMINATION DATES OF 1973 AMENDMENT

Pub. L. 91-524, title IV, §405(b), as added by Pub. L. 93-86, §1(12)(a), Aug. 10, 1973, 87 Stat. 229, provided that the amendment made by Pub. L. 91-524 is effective with respect to the 1974 through 1977 crops.

EFFECTIVE DATE OF 1965 AMENDMENT

Pub. L. 89-321, title V, §511(a), Nov. 3, 1965, 79 Stat. 1205, provided that the amendment made by that section is effective beginning with the crop planted for harvest in 1966.

EFFECTIVE DATE OF 1962 AMENDMENT

Pub. L. 87-703, title III, §323, Sept. 27, 1962, 76 Stat. 626, provided that: "The amendments to the Agricultural Adjustment Act of 1938, as amended, and to Public Law 74, Seventy-seventh Congress, as amended, made by sections 310 through 322 of this Act [enacting sections 1334b and 1339 of this title, amending this section and sections 1331 to 1336, 1340, 1371 and 1385 of this title, and repealing section 1337 of this title] shall be in effect only with respect to programs applicable to the crops planted for harvest in the calendar year 1964 or any subsequent year and the marketing years beginning in the calendar year 1964, or any subsequent year".

EFFECTIVE DATE OF 1949 AMENDMENT

Act Oct. 31, 1949, ch. 792, title IV, §415(a), (b), 63 Stat. 1057, provided that:

"(a) Except as modified by this Act or by Public Law 272 [see Tables for classification], Eighty-first Congress, sections 201(b), 201(d), 201(e), 203, 207(a), and 208 of the Agricultural Act of 1948 [amending this section and sections 1312, 1322, and 1328 of this title] shall be effective for the purpose of taking any action with respect to the 1950 and subsequent crops upon the enactment of this Act [Oct. 31, 1949]. If the time within which any such action is required to be taken shall have elapsed prior to the enactment of this Act, such action shall be taken within thirty days after the enactment of the Act.

"(b) No provision of the Agricultural Act of 1948 shall be deemed to supersede any provision of Public Law 272, Eighty-first Congress."

EFFECTIVE DATE OF 1948 AMENDMENT

Act July 3, 1948, ch. 827, title III, §303, 62 Stat. 1259, provided that: "Titles II and III of this Act [amending this section and sections 602, 608c, 612c, 672, 1301a, 1302, 1312, 1322, 1328, 1333, 1335, 1336, 1343, 1345, 1355, and 1385 of this title and repealing sections 608e and 1322a of this title] shall take effect on January 1, 1950."

SAVINGS PROVISION

Amendment by sections 611 to 614 of Pub. L. 108-357 not to affect the liability of any person under any pro-

vision of law so amended with respect to the 2004 or an earlier crop of tobacco, see section 614 of Pub. L. 108-357, set out as a note under section 515 of this title.

RULEMAKING PROCEDURES

Pub. L. 99-272, title I, §1108(c), Apr. 7, 1986, 100 Stat. 95, provided that: "The Secretary of Agriculture shall implement sections 1102 through 1109, and the amendments made by such sections [enacting sections 1314g, 1314h, and 1445-3 of this title, amending this section and sections 1312, 1314c, 1314e, 1372, 1445, 1445-1, and 1445-2 of this title, and enacting provisions set out as notes under sections 1314c, 1314e, 1314g, 1314h, 1372, 1445, 1445-1, and 1445-2 of this title], without regard to the provisions requiring notice and other procedures for public participation in rulemaking contained in section 553 of title 5, United States Code, or in any directive of the Secretary."

STUDY OF METHODS OF IMPROVING PARITY FORMULA

Act May 28, 1956, ch. 327, title VI, §602, 70 Stat. 213, required the Secretary to make a thorough study of the possible methods of improving the parity formula and report thereon, with specific recommendations, including drafts of necessary legislation to carry out such recommendations, to Congress not later than Jan. 31, 1957.

Executive Documents

TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

Administration of program of Federal Crop Insurance Corporation transferred to Secretary of Agriculture by 1946 Reorg. Plan No. 3, §501, eff. July 16, 1946, 11 F.R. 7877, 60 Stat. 1100, set out in the Appendix to Title 5, Government Organization and Employees.

Functions of Bureau of Agricultural Economics transferred to other units of Department of Agriculture under Secretary's memorandum 1320, supp. 4, of Nov. 2, 1953.

§ 1301a. References to parity prices, etc., in other laws after January 1, 1950

All references in other laws to—

- (1) parity,
- (2) parity prices,
- (3) prices comparable to parity prices, or
- (4) prices to be determined in the same manner as provided by the Agricultural Adjustment Act of 1938 [7 U.S.C. 1281 et seq.] prior to its amendment by this Act for the determination of parity prices,

with respect to prices for agricultural commodities and products thereof, shall hereafter be deemed to refer to parity prices as determined in accordance with the provisions of section 301(a)(1) of the Agricultural Adjustment Act of 1938 [7 U.S.C. 1301(a)(1)], as amended by this Act. (July 3, 1948, ch. 827, title III, §302(f), 62 Stat. 1258.)

Editorial Notes

REFERENCES IN TEXT

The Agricultural Adjustment Act of 1938, referred to in par. (4), is act Feb. 16, 1938, ch. 30, 52 Stat. 31, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 1281 of this title and Tables.

This Act, referred to in par. (4) and concluding provisions, is act July 3, 1948, ch. 827, 62 Stat. 1247, known as the Agricultural Act of 1948, titles II and III of which became effective Jan. 1, 1950. For complete classification of this Act to the Code, see Short Title of 1948 Amendment note set out under section 1281 of this title and Tables.

CODIFICATION

Section was enacted as part of the Agricultural Act of 1948, and not as part of the Agricultural Adjustment Act of 1938 which comprises this chapter.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 1, 1950, see section 303 of act July 3, 1948, set out as an Effective Date of 1948 Amendment note under section 1301 of this title.

§ 1301b. Repealed. Pub. L. 85-835, title I, § 108, Aug. 28, 1958, 72 Stat. 993

Section, act Aug. 29, 1949, ch. 518, §3(a), 63 Stat. 676, prescribed standard cotton grade for parity and price support purposes.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Pub. L. 85-835, title I, §108, Aug. 28, 1958, 72 Stat. 993, provided in part that: "This section [amending section 1423 of this title and repealing this section] shall become effective with the 1961 crop."

§ 1302. Repealed. Oct. 31, 1949, ch. 792, title IV, § 414, 63 Stat. 1057

Section, acts Feb. 16, 1938, ch. 30, title III, §302, 52 Stat. 43; June 21, 1938, ch. 554, title V, §502, 52 Stat. 820; July 3, 1948, ch. 827, title II, §202(a), 62 Stat. 1252, related to price support of agricultural commodities.

§ 1303. Parity payments

If and when appropriations are made therefor, the Secretary is authorized and directed to make payments to producers of corn, wheat, cotton, or rice, on their normal production of such commodities in amounts which, together with the proceeds thereof, will provide a return to such producers which is as nearly equal to parity price as the funds so made available will permit. All funds available for such payments with respect to these commodities shall unless otherwise provided by law, be apportioned to these commodities in proportion to the amount by which each fails to reach the parity income. Such payments shall be in addition to and not in substitution for any other payments authorized by law.

(Feb. 16, 1938, ch. 30, title III, §303, 52 Stat. 45; Pub. L. 108-357, title VI, §611(g), Oct. 22, 2004, 118 Stat. 1522.)

Editorial Notes

AMENDMENTS

2004—Pub. L. 108-357 substituted "or rice," for "rice, or tobacco,".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-357 applicable to the 2005 and subsequent crops of tobacco, see section 643 of Pub.

L. 108-357, set out as an Effective Date note under section 518 of this title.

SAVINGS PROVISION

Amendment by sections 611 to 614 of Pub. L. 108-357 not to affect the liability of any person under any provision of law so amended with respect to the 2004 or an earlier crop of tobacco, see section 614 of Pub. L. 108-357, set out as a note under section 515 of this title.

§ 1304. Consumer safeguards

The powers conferred under this chapter shall not be used to discourage the production of supplies of foods and fibers sufficient to maintain normal domestic human consumption as determined by the Secretary from the records of domestic human consumption in the years 1920 to 1929, inclusive, taking into consideration increased population quantities of any commodity that were forced into domestic consumption by decline in exports during such period, current trends in domestic consumption and exports of particular commodities, and the quantities of substitutes available for domestic consumption within any general class of food commodities. In carrying out the purposes of this chapter it shall be the duty of the Secretary to give due regard to the maintenance of a continuous and stable supply of agricultural commodities from domestic production adequate to meet consumer demand at prices fair to both producers and consumers.

(Feb. 16, 1938, ch. 30, title III, §304, 52 Stat. 45.)

§ 1305. Transfer of acreage allotments or feed grain bases on public lands upon request of State agencies

Notwithstanding any other provision of law, the Secretary, upon the request of any agency of any State charged with the administration of the public lands of the State, may permit the transfer of acreage allotments or feed grain bases together with relevant production histories which have been determined pursuant to the Agricultural Adjustment Act of 1938, as amended [7 U.S.C. 1281 et seq.], or section 590p of title 16, from any farm composed of public lands to any other farm or farms in the same county composed of public lands: *Provided*, That as a condition for the transfer of any allotment or base an acreage equal to or greater than the allotment or base transferred prior to adjustment, if any, shall be devoted to and maintained in permanent vegetative cover on the farm from which the transfer is made. The Secretary shall prescribe regulations which he deems necessary for the administration of this section, which may provide for adjusting downward the size of the allotment or base transferred if the farm to which the allotment or base is transferred normally has a higher yield per acre for the commodity for which the allotment or base is determined, for reasonable limitations on the size of the resulting allotments and bases on farms to which transfers are made, taking into account the size of the allotments and bases on farms of similar size in the community, and for retransferring allotments or bases and relevant histories if the conditions of the transfers are not fulfilled.

(Pub. L. 89-321, title VII, §706, Nov. 3, 1965, 79 Stat. 1210; Pub. L. 91-524, title IV, §405(a), for-