

**§ 1339a. Repealed. Pub. L. 107-171, title I, § 1613(j)(1), May 13, 2002, 116 Stat. 221**

Section, Pub. L. 87-703, title III, §326, Sept. 27, 1962, 76 Stat. 631; Pub. L. 88-26, §4, May 20, 1963, 77 Stat. 47; Pub. L. 89-321, title III, §303, Nov. 3, 1965, 79 Stat. 1192; Pub. L. 101-624, title XI, §1132(c), Nov. 28, 1990, 104 Stat. 3515; Pub. L. 102-237, title I, §118(d), Dec. 13, 1991, 105 Stat. 1842, related to good faith reliance.

**§ 1339b. Wheat diversion programs; credits in establishment of State, county and farm acreage allotments for wheat**

In the establishment of State, county, and farm acreage allotments for wheat under the Agricultural Adjustment Act of 1938, as amended [7 U.S.C. 1281 et seq.], the acreage which is determined under regulations of the Secretary to have been diverted from the production of wheat under the special programs formulated pursuant to section 307 of this Act, section 339 of the Agricultural Adjustment Act of 1938, as amended [7 U.S.C. 1339], and section 124 of the Agricultural Act of 1961, shall be credited to the State, county, and farm as though such acreage had actually been devoted to the production of wheat.

(Pub. L. 87-703, title III, §327, Sept. 27, 1962, 76 Stat. 631.)

**Editorial Notes**

**REFERENCES IN TEXT**

The Agricultural Adjustment Act of 1938, referred to in text, 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.

Section 307 of this Act and section 124 of the Agricultural Act of 1961, referred to in text, are, respectively, section 307 of Pub. L. 87-703 and section 124 of Pub. L. 87-128, which were formerly set out as notes under section 1334 of this title.

**CODIFICATION**

Section was enacted as part of the Food and Agriculture Act of 1962, and not as part of the Agricultural Adjustment Act of 1938 which comprises this chapter.

**§ 1339c. Feed grains diversion programs for 1964 and subsequent years; feed grain acreage considered wheat acreage and wheat acreage considered feed grain acreage**

Effective with the 1964 crop, during any year in which an acreage diversion program is in effect for feed grains, the Secretary shall, notwithstanding any other provision of law, permit producers of feed grains to have acreage devoted to the production of feed grains considered as devoted to the production of wheat and producers of wheat to have acreage devoted to the production of wheat considered as devoted to the production of feed grains to such extent and subject to such terms and conditions as the Secretary determines will not impair the effective operation of the program for feed grains or wheat. In establishing terms and conditions for permitting wheat to be planted in lieu of oats and rye, the Secretary may take into account the number of feed units per acre of wheat in relation to the number of feed units per acre of oats and rye.

(Pub. L. 87-703, title III, §328, Sept. 27, 1962, 76 Stat. 631; Pub. L. 89-321, title V, §514, Nov. 3, 1965, 79 Stat. 1206.)

**Editorial Notes**

**AMENDMENTS**

1965—Pub. L. 89-321 authorized the Secretary, in establishing terms and conditions for permitting wheat to be planted in lieu of oats and rye, to take into account the number of feed units per acre of wheat in relation to the number of feed units per acre of oats and rye.

**CODIFICATION**

Section was enacted as part of the Food and Agriculture Act of 1962, and not as part of the Agricultural Adjustment Act of 1938 which comprises this chapter.

**§ 1339d. Hay production on set-aside or diverted acreage; storage; emergency use; loans**

(a) Notwithstanding any other provision of law, the Secretary shall permit any producer who is participating in the wheat program under title IV of this Act, in the feed grain program under title V of this Act, or in the cotton program under title VI of this Act, in any year in which an acreage diversion or set-aside program is in effect, under any such program in which such producer is participating, subject to the conditions prescribed in subsection (b) of this section, to plant and harvest hay from 25 percentum of the acreage on the farm diverted from production under such programs or twenty-five acres, whichever is greater.

(b) Any producer who elects to plant and harvest hay on diverted or set aside acreage pursuant to this section shall first agree not to use any such hay harvested from such acreage unless authorized to do so by the Secretary.

(c) When any diverted or set aside acreage has been planted and harvested under authority of this section, the hay harvested therefrom shall be baled and stored in sealed storage on the farm in accordance with such regulations as the Secretary may prescribe and shall be available only for use during periods of emergency declared by the Secretary. In order to avoid deterioration of such hay stored on the farm for emergency purposes pursuant to this section, the Secretary may permit such hay to be removed and used or sold from time to time so long as an amount of hay equal to the amount removed is previously placed in storage and sealed.

(d) Any farmer who has hay stored on his farm for emergency purposes pursuant to this section may remove such hay from storage and use it whenever the Secretary has (1) designated as an emergency area the area in which such farm is located, and (2) specifically authorized the use of emergency hay by farmers in the area.

(e) The Secretary of Agriculture is authorized to make or guarantee loans to farmers, both tenants and landowners, to assist such farmers in the construction of storage facilities on the farm for the storage of emergency hay pursuant to the provisions of this section if such farmers are unable to obtain loans from commercial sources at reasonable rates and on reasonable terms and conditions. Loans made by the Secretary under this subsection shall be made at the current rate of interest for periods not exceeding ten years, and on such other terms and conditions as the Secretary may prescribe.

(Pub. L. 91-524, title VIII, §805, Nov. 30, 1970, 84 Stat. 1382.)